

JOURNAL

OF THE

House of Representatives

OF THE

STATE OF ALABAMA

SESSION OF 1894-6,

HELD IN THE CITY OF MONTGOMERY,

COMMENCING TUESDAY, NOVEMBER 13, 1894.

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WITH AN INDEX.

Prepared by the Clerk of the House.

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MONTGOMERY, ALA.:

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1895.

JOURNAL  
OF THE  
HOUSE OF REPRESENTATIVES  
OF THE  
STATE OF ALABAMA,

Of the Session of 1894-95,

Begun and held at the capitol, in the City of Montgomery, in the State of Alabama, on Tuesday, after the second Monday in November, 1894, being the 13th day of the month, in the year of our Lord, eighteen hundred and ninety-four, at 12 M.

On which day, being the day fixed by law for the meeting of the General Assembly of Alabama, the House of Representatives of Alabama was called to order by Hon. Francis L. Pettus, Speaker of the House of Representatives of Alabama.

The session was opened with prayer by the Rev. Mr. Ott of the House.

The following named members appeared and took their seats:

From the county of—

Autauga— Mac. A. Smith.

Baldwin— R.H. Moore.

Barbour— Eugene L. Graves.

Jno. W. T. Gibbons.

Bibb— Nelson Fuller.

Blount— J. F. Bellinger.

Bullock— George Williams.

Chas. L. Jinks.

Butler— John A. Smith.

Calhoun— R. B. Kelly.

W. C. Scarbrough.

Chambers—C. M. Cole.  
J. H. Harris.  
Cherokee—R. T. Ewing.  
Chilton—O. M. Mastin.  
Choctaw—A. J. Hearn.  
Clarke—Isaac Grant.  
E. O. Calhoun.  
Clay—J. C. Manning.  
Cleburne—A. P. Taylor.  
Coffee—W. C. Mixson.  
Colbert—P. N. G. Rand.  
Conecuh—T. J. Brown.  
Coosa—H. R. Robbins.  
Covington—E. J. Beasley.  
Crenshaw—Jno. C. Routon.  
Cullman—Thos. J. Burks.  
Dale—John C. Killebrew.  
Dallas—R. T. Burns.  
H. C. Graham.  
R. H. Tuck.  
DeKalb—J. B. Franklin.  
Elmore—Henry C. Ellis.  
Escambia—Milton A. Rabb.  
Etowah—W. B. Beeson.  
Fayette—Zack Savage.  
Franklin—C. P. Banks.  
Geneva—W. J. Mills.  
Greene—J. J. A. Smith.  
Hale—N. H. Gewin.  
Thos. E. Knight.  
Henry—J. B. Ward.  
T. E. Williams.  
Jackson—W. McC. Maples.  
J. H. Roach.  
Jefferson—W.F. Fulton.  
Lawrence Y. Lipscomb.  
John McQueen.  
Frank P. O'Brien.  
Jos. H. Montgomery.  
Sam Will John.  
Lamar—John D. McCluskey.  
Lauderdale—H. R. Kennedy.  
J. C. Ott.

Lawrence—M. M. Summers.  
Lee—E. C. Jackson.  
    L. R. Wheelless.  
Limestone—J. E. Fielding.  
Lowndes—C. P. Rogers, Sr.  
    Chas. A. Whitten.  
Macon—P. S. Holt.  
Madison—A. S. Fletcher.  
    N. M. Rowe.  
Marengo—D. J. Meador.  
    D. M. Prowell.  
Marion—Wm. C. Davis.  
Marshall—W. M. Coleman.  
Mobile—Leslie E. Brooks.  
    Thos. H. Smith.  
    Edward M. Robinson.  
Monroe—W. G. McCorvey.  
Montgomery—Thos. H. Clark.  
    Walton W. Hill.  
    B. H. Screws.  
    John W, A. Sanford, Jr.  
Morgan—O. Kyle.  
    Matt. K. Mahan.  
Perry—W. R. Barron.  
    W.O. Perry.  
Pickens—E. D. Willett.  
Pike—J. R. Curtis.  
    W. L. Fleming.  
Randolph—S. E. A. Reaves.  
Russell—W. J. Boykin.  
    E. N. Brown.  
Shelby—G. B. Deans.  
St. Clair—W. S. Forman.  
Sumter—W. B. Cameron.  
Talladega—J. E. Camp.  
    W. A. Cook.  
Tallapoosa—E. B. Langley.  
    L. R. Meadows.  
Tuscaloosa—J. J. Mayfield.  
    W. S. Patton.  
Walker—H. A. Gains.  
Washington—B. D. Turner.

Wilcox—J. T. Dale.  
Winston—D.B. Ford.

The speaker of the house announced that a quorum had appeared, ninety-nine members having answered to their names.

#### OATH OF OFFICE.

The oath of office was then administered to the above named members by the Hon. R. C. Brickell, chief justice of the supreme court of Alabama.

#### SEATS.

Mr. Dale, of Wilcox, offered the following resolution:

Resolved, That a committee be appointed, consisting of one member from each congressional district, whose duty it shall be to assign seats to the members, and that the same be done by districts and counties as near as possible,

Which was adopted.

The speaker of the house announced the following committee on seats :

First District—Turner, of Washington.

Second District—Dale, of Wilcox.

Third District—Boykin, of Russell.

Fourth District—Kelly, of Calhoun.

Fifth District—Holt, of Macon.

Sixth District—Willett, of Pickens.

Seventh District—Coleman, of Marshall.

Eighth District—Kennedy, of Lauderdale.

Ninth District—O'Brien, of Jefferson.

#### RULES.

On motion of Mr. John, the rules of the house of representatives were adopted for the government of the house until otherwise ordered.

#### ADJOURNMENT.

On motion, the house adjourned until to-morrow morning at 10 o'clock.

SECOND DAY.

HOUSE OF REPRESENTATIVES,

WEDNESDAY, November 14, 1894.

The House met pursuant to adjournment.  
 Prayer by Rev. Mr. Howell, of Cleburne.  
 A quorum was present.  
 The Journal of yesterday was read and approved.

OATH OF OFFICE.

Mr. Cook, of Wilcox, appeared and took his seat, and the oath of office was thereupon administered to him by the speaker.

MOTION.

On motion of Mr. Knight, the house ordered the election of a speaker pro tem, Mr. Pettus, the speaker of the house having resigned.

On motion of Mr. Ott, Hon. S. W. John, of Jefferson, was unanimously elected speaker pro tern.

ELECTION OF OFFICERS.

The next business in order being the election of permanent officers of the house, Mr. Screws nominated Hon. Thos. H. Clark, of Montgomery, and Mr. Langley nominated Hon. J. H. Harris, of Chambers, for speaker of the house.

Those who voted for Mr. Clark are :

Messrs.

Barron, Boykin, Brooks, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Fletcher, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Hill, Holt, Jinks, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Maples, Mayfield, Meador, Mahan, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robinson, Rogers, Rowe, Sanford,

Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Whitten, Willett, Williams of Bullock, Williams of Henry.—63

Those who voted for Mr. Harris are :

Messrs.

Banks, Beasley, Beeson, Bellinger, Brown of Conecuh, Burks, Cole, Coleman, Cook of Talladega, Deans, Ellis, Ewing, Fielding, Ford, Forman, Franklin, Fuller, Fulton, Gains, Hearn, Jackson, Killibrew, Langley, Manning, Mastin, Meadows, Mills, Mixon, Robbins, Routon, Savage, Smith of Butler, Summers, Taylor, Wheelless.—34.

Mr. Clark having received a majority of the votes cast, was declared duly and constitutionally elected speaker of the house for the term prescribed by law.

Mr. Knight moved that a committee of two be appointed to notify Mr. Clark of his election. The motion being carried, the speaker appointed Messrs. Knight and Whitten as said committee.

Mr. Clark was conducted to the chair, and addressed the house, after which the oath of office was administered to him by the Hon. S. W. John, speaker pro tem.

The house then proceeded to the election of a clerk.

Mr. McQueen nominated Mr. Massey Wilson, of Clarke, and Mr. Ellis nominated Mr. W. A. Dent, of Chambers, for clerk of the house.

Those who voted for Mr. Wilson are :

Messrs. Speaker, Barron, Boykin, Brooks, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Fletcher, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Hill, Holt, Jinks, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Maples, Mayfield, Meador, Mahan, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robinson, Rogers, Rowe, Sanford, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Whitten, Willett, Williams of Bullock, Williams of Henry—64.

Those who voted for Mr. Dent are:

Messrs.

Banks, Beasley, Beeson, Bellinger, Brown of Conecuh, Burks, Cole, Coleman, Cook of Talladega, Curtis, Deans, Ellis, Ewing, Fielding, Ford, Forman, Franklin, Fuller, Gains, Gewin, Harris, Hearn, Jackson, Killibrew, Langley, Manning, Mastin, Meadows, Mills, Mixon, Reaves, Robbins, Routon, Savage, Smith of Bntler, Summers, Taylor, Wheelless—34.

Mr. Wilson having received a majority of the votes cast was declared legally and constitutionally elected clerk of the house for the term prescribed by law.

The house then proceeded to the election of an assistant clerk.

Mr. Kennedy nominated Mr. John F. Proctor, of Jackson, and Mr. Beeson nominated Geo. F. Gaither, of Etowah, for assistant clerk.

Those who voted for Mr. Proctor are :

Messrs. Speaker, Barren, Boykin, Brooks, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Fletcher, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Hill, Holt, Jinks, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Maples, May field, Meador, Mahan, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robinson, Rogers, Rowe, Sanford, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Whitten, Willett, Williams of Bullock, Williams of Henry—64.

Those who voted for Mr. Gaither are:

Messrs.

Banks, Beasley, Beeson, Bellinger, Brown of Conecuh, Burks, Cole, Cook of Talladega, Deans, Ellis, Ewing, Fielding, Ford, Forman, Franklin, Fuller, Gains, Harris, Hearn, Jackson Killibrew, Langley, Manning, Maston, Meadows, Mills, Mixon, Reaves, Robbins, Routon, Savage, Smith of Butler, Summers, Taylor, Wheelless—34.

Mr. Proctor having received a majority of the votes cast, was declared legally and constitutionally elected assistant clerk for the term prescribed by law.

The house then proceeded to the election of an enrolling clerk.



Mr. Ott nominated Mr. W. P. Howell, of Cleburne, and Mr. Jakson nominated Mr. J. P. Adams, of Bibb.

Those who voted for Mr. Howell are :

Messrs. Speaker, Barren, Boykin, Brook, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cook of Wilcox, Curtis, Dale, Davis, Deans, Fleming, Fletcher, Gewin, Gibbons, Graham, Grant, Graves, Hill, Holt, Jinks, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Lipscomb, Maples, Mayfield, Meador, Mahan, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robinson, Rogers, Sanford, Scarborough, Screws, Scale, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Whitten, Willett, Williams of Bullock, Williams of Henry—63.

Those who voted for Mr. Adams are :

Messrs.

Banks, Beasley, Beeson, Bellinger, Brown of Conecuh, Burks, Cole, Coleman, Cook of Talladega, Deans, Ellis, Ewing, Fielding, Ford, Forman, Franklin, Fuller, Gains, Harris, Hearn, Jackson, Killibrew, Langley, Manning, Mastin, Meadows, Mills, Mixon, Reaves, Robbing, Roughton, Savage, Smith of Butler, Summers, Taylor, Wheelless—34.

Mr. Howell having received a majority of the votes cast, was declared duly and constitutionally elected enrolling clerk for the term prescribed by law.

The house then proceeded to the election of an engrossing clerk.

Mr. Meador nominated Mr. Val Taylor, of Perry, and Mr. Ford nominated Mr. Jas. J. Curtis, of Winston.

Those who voted for Mr. Taylor are :

Messrs. Speaker, Barren, Boykin, Brooks, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Fletcher, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Hill, Holt, Jinks, John, Kelly, Kennedy, Rnight, Kyle, Lipscomb, Maples, Mayfield, Meador, Mahan, Montgomery, Moore, McClusky, McOorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robinson, Rowe, Sanford, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner,

Ward, Whitten, Willett, Williams of Bullock, Williams of Henry—64.

Those who voted for Mr. Ourtis are ;  
Messrs.

Banks, Beasley, Beeson, Bellinger, Brown of Conecuh, Burks, Cole, Coleman, Cook of Talladega, Deans, Ellis, Ewing, Fielding, Ford, Forman, Franklin, Fuller, Gains, Harris, Hearn, Jackson, Killibrew, Langley, Manning, Mastin, Meadows, Mills, Mixon, Reaves, Bobbins, Routon, Savage, Smith of Butler, Summers, Taylor, Wheel-ess—34.

Mr. Taylor having received a majority of the vote cast was declared duly and constitutionally elected en- grossing clerk for the term prescribed by law.

The house then proceeded to the election of a door- keeper.

Mr. John nominated Mr. Robert Hassen, of Etowah, and Mr. Forman nominated Mr. W. E. Horn, of Cullman.

Those who voted for Mr. Hassen are :

Messrs. Speaker, Barren, Boykin, Brooks, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cook of Wil- cos, Curtis, Dale, Davis, Fleming, Fletcher, Gewin, Gibbons, Graham, Grant, Graves, Hill, Holt, Jinks, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Maples, Mayfield, Meador, Mahan, Montgomery, Moore, Mc- Clusky, McGorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robinson, Rogers, Rowe, Sanford, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Whitten, Willett, Williams of Bullock, Williams of Henry.

Those who voted for Mr. Horn are :

Messrs. Banks, Beasley, Beeson, Bellinger, Brown of Conecuh, Burks, Cole, Coleman, Cook of Talladega, Deans, Ellis, Ewing, Fielding, Ford, Forman, Frank- lin, Fuller, Gains, Harris, Hearn, Jackson, Killibrew, Langley, Manning, Mastin, Mills, Mixon, Reaves, Rob- bins, Rogers, Routon, Savage, Smith of Butler, Sum- mers, Taylor, Wheless—34.

Mr. Hassen having received a majority of the votes.

cast, was declared duly and constitutionally elected door-keeper for the term prescribed by law.

The house then proceeded to the election of an assistant door-keeper.

Mr. Ward nominated Mr. Thos. J. Fain, of Dale, and Mr. Ewing nominated Mr. Francis McGowen, of Sumter.

Those who voted for Mr. Fain are:

Messrs Speaker, Barren, Boykin, Brooks, Brown of Hussell, Burns, Calhoun, Cameron, Camp, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Fletcher, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Hill, Holt, Jinks, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Maples, Mayfield, Meador, Mahan, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robinson, Rogers, Rowe, Sanford, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Whitten, Willett, Williams of Bullock, Williams of Henry—64.

Those who voted for Mr. McGowen are :

Messrs. Banks, Beasley, Beeson, Bellinger, Brown of Conecuh, Burks, Burns, Coleman, Cook of Talladega, Deans, Ellis, Ewing, Fielding, Ford, Forman, Franklin, Fuller, Gains, Harris, Hearn, Killibrew, Mastin, Meadows, Mills, Mixon, Reaves, Robbins, Routon, Savage, Seale, Smith of Butler, Summers, Taylor, Wheless—30.

Mr. Fain having received a majority of the votes cast was declared duly and constitutionally elected assistant door-keeper for .the term prescribed by law.

#### OATH OF OFFICE.

The oath of office was then administered by the speaker to the several above named named officers, just elected.

#### RESOLUTIONS.

The following resolutions were offered and adopted:  
By Mr. Ward—

Resolved, That the clerk of the house be instructed to inform the-senate that the house of representatives is

now permanently organized, and ready for the transaction of business.

By Mr. Meador—

Resolved, That the speaker be authorized to appoint one messenger and three pages for the house, to act during the session.

By Mr. McQueen—

Resolved, That the thanks of the house are due and are hereby tendered to the Hon. Francis L. Pettus, the speaker of the house, for the dignified, courteous and able manner in which he has presided over its deliberations during the past day, and that in his retirement from the house to occupy a seat in the state senate, the house expresses its most cordial wishes for his continued prosperity and lasting happiness.

By Mr. Kennedy—

Resolved, That the door-keeper be authorized to purchase such supplies as may be necessary for the use of the house during its session.

By Mr. Dale—

Be it resolved, by the house, of representatives, the senate concurring, That a joint committee consisting of three on the part of the house, and two on the part of the senate, be appointed to investigate and report to the general assembly, the condition of the two and three per cent. fund.

By Mr. Willett—

Resolved, That this house having been permanently organized, the deliberations of this house be governed by the rules adopted by the last house of representatives until the committee on rules shall report and action taken thereon.

By Mr. Turner—

Resolved, That a committee of three from the house and two from the senate be appointed to wait upon the clergy of the city and invite them to open the session daily with prayer.

Committee on part of the house, Messrs. Turner, Hill and Ott.

By Mr. Hill—

Resolved, That the speaker of the house be instructed to appoint a door-keeper for the gallery at a salary of \$3.00 per day.

By Mr. Hill—

Resolved, That the door-keeper of the house be instructed to place upon the desk of each member of the house a copy of the criminal and civil code of Alabama and of the journal of the house for 1892-3, to be used by them during the present session.

By Mr. Brooks—

Resolved, That the standing committee on rules shall consist of the speaker and four other members to be named by the speaker, and that said committee be instructed to report to the house, at the earliest practicable moment, rules for the government of the house.

The speaker appointed as the committee under this resolution Messrs. Brooks, Willett, Fletcher and O'Brien;

By Mr. Knight—

Resolved by the house, (the senate concurring), That a committee of two from the house and one from the senate be appointed to wait on the governor and inform him that the general assembly of Alabama is now permanently organized and ready for the transaction of business, and to receive any communication he may have to send to them.

Committee on part of the house, Messrs. Knight and Boykin.

MESSAGE FROM THE SENATE.  
SENATE CHAMBER,  
Nov. 14th, 1894.

Mr. Speaker:

I am directed by the senate to inform the house that the senate has perfected a permanent organization by the election of the following officers, to-wit:

Hon. Francis L. Pettus of Dallas, president; William L. Clay of Madison, secretary; Elmore Garrett. of Calhoun, assistant secretary.

Mrs. P. E. Scott of Jefferson, engrossing and enrolling clerk; B. James of Barbour, door-keeper, and L. B. Bamburger of Perry, assistant door-keeper.

And has concurred in the house joint resolution raising joint committee to wait. on the governor and notify him of the permanent organization of the two bodies of the general assembly.

Committee on part of the senate, Mr. Milner.

W. L. CLAY, Secretary.

## GOVERNOR'S MESSAGE.

STATE OF ALABAMA,

OFFICE OF GOVERNOR,

MONTGOMERY, November 14, 1894.

Gentlemen of the General Assembly:

You meet in the seventy-fifth year of our Statehood to exercise the legislative power of a free people. Your great trust brings its own admonitions of the courage and wisdom which it demands and the consequences for good or ill which wait upon your deliberations.

In discharge of constitutional duty I now give you "information of the state of the government," with such recommendations, as it seems to me, may be useful in the discharge of your duties. Your first task will be to devise means for the support of the government during the present and the next fiscal year, and to provide in addition for a deficit in the treasury at the close of the fiscal year, ending September 30th, 1894, amounting to \$364,353.65.

Before dealing with the remedy, it seems best to inquire how and why this deficiency came about; since it will the better enable you to avoid the errors of the past and to provide more wisely for the future.

## THE CAUSE OF THE DEFICIT.

This deficiency is the result of the experiment begun at the session of 1888-9, of reducing the tax rate until it reached four mills, and at the same time increasing appropriations; and it will be easily seen by a brief review of the rate of taxation and the condition of the treasury when the experiment began, how inevitable was the outcome. The balance remaining in the treasury available for general purposes, after excluding special funds, at the end of the fiscal year in 1888, when the tax rate was five mills, was \$317,415 91; in 1889, when the rate was reduced a half of a mill, \$272,388; in 1890 this balance was \$218,552.89; while at the close of the fiscal year 1890-91, when the four mill rate took effect for the first time, this balance had shrunk to \$37,884.87, and at the close of the fiscal year 1891-92, the second year in which the present rate had been in force, the balance had entirely disappeared, and each year thereafter came a deficit.

The decrease in the tax rate from seven and a half mills

in 1876 to four mills in 1890 was the result of a successive reductions for fourteen years, nearly one-half of which were effected during the last four years of that period. The reduction made by the act of Feb'y 26th, 1889, was induced by oversanguine expectations of continued increase in taxable values and an ardent desire for a present gain which did not take proper thought for the needs of the future. Under this same impulse not only was the rate decreased, but the appropriation for schools alone was augmented one hundred thousand dollars per annum at the same time. The effect of this legislation could not be accurately known until the close of the fiscal year 1890-1, during which period the taxes assessed in 1890 under the four mill rate would reach the treasury.

At the threshold of my duties the matter gave me concern; for it was certain the surplus, resulting from higher taxation in former years, would soon be exhausted, and that the four mill rate would not yield sufficient revenue for the future, unless there should be a much larger increase of the taxable values than it seemed reasonable to hope under existing conditions. The matter was accordingly brought to the attention of the General Assembly, by special message, on the 24th day of January, 1891. In this message a pending bill to further reduce the rate of taxation was opposed, and dissenting from the estimates of the then Auditor, I estimated that under the four mill rate there would be a balance of \$38,542, at the close of the fiscal year 1890-1, and a small deficit at the close of the fiscal year 1891-92. The General Assembly, however, clinging to the belief that values would increase, took no action looking to a change of the rates. My estimates proved quite accurate; for the balance Sept. 30th, 1891, was \$37,358.17, while there was a deficit of \$14,987.59 on the 30th of Sept., 1892. It became manifest that there would be large deficits each succeeding year unless values increased or the rate was changed.-

Such was the outlook when the General Assembly convened on the 15th November, 1892, shortly after the Presidential election, which dispelled the doubts and fears concerning Federal policies of finance, taxation and interference with the States, which for some time past had added to business uncertainty, clogged enterprise and checked credit and investment. There was a general belief that the country was on the eve of a great business revival and prosperity, and a conviction that taxable values

would increase largely in the future.

#### RECOMMENDATIONS IN BIENNIAL MESSAGE.

While sharing to some extent these hopes- of returning prosperity it did not escape me, in making recommendations in the biennial message which dealt at length with our financial condition, that contingencies, which the future alone could determine, might decrease rather than increase values, and this view was presented for the consideration of the Legislature, in the statement that "a lowering of values will be the inevitable effect of continued low prices for our chief products, and it is certain that values cannot be maintained if the State be visited by a financial panic or ravaged by pestilence." It was also stated that, "under our present assessment of taxable values and present revenue laws there will be a deficit in the treasury of about \$216,725 on Sept. 30th, 1893, and another deficit for about an equal amount on Sept. 30, 1894. These estimates do not include any special appropriations, and are, of course, contingent upon legislative action at this session."

A large majority of that General Assembly, while resolved to increase the rate to the extent necessary to preserve the public faith and secure the continuance of good government, shared the prevalent feeling that values would increase and not diminish and believed it would be unwise to determine the rate of increase upon the basis of existing values, and if this were done that it would result in a surplus of revenue. As the best practicable mode to accommodate the conflicting opinions on the subject, I recommended that the rate be fixed at five mills for the calendar years 1893 and 94, with provision that the Governor might remit or suspend the collection of such part of the tax as might not be needed. The Legislature adopted this suggestion and fixed the rate at five mills for the calendar years 1893-94. The effect of this increase, however, could not be felt in the treasury until the fiscal year 1893-4; for the taxes assessed for the year 1893 are neither due nor collected until some months after the end of the fiscal year which closes Sept 30th, 1893; and whatever the deficit at that time must of course be carried forward and met out of the next fiscal year's revenue.

The Auditor's report shows that on the 30th Sept. 1893, if all warrants drawn up to that time had been paid, there would have been a cash balance in the treasury of \$77,023.



30. He also mentions the following amounts as set apart for special purposes:

For convict system .....	\$ 44,715 53
Soldiers and widows.....	124,485 12
Two and three per cent. fund.....	641 86
Agricultural Department. ....	57,790 18
College of Agriculture and Mechanic Arts	18,952 50
Redemption of six per cent. bond unpaid	1,500 00—\$ 248,085 21

At that time there was also due \$163,595.30 on the apportionment for public schools; whose last quarter ended at the same time as the fiscal year. Adding that amount to the sums set apart for special purposes, and subtracting \$77,023 30, the cash in the treasury, there was a deficit of \$334,657.21 at the close of the fiscal year 1892-3, which exceeded the estimate \$127,932.21. The estimate, however, as we have seen, did not include special appropriations. The General Assembly, at the session of 1892-3, made special appropriations, including that for the convict system, and an increase to agricultural schools, amounting to \$48,768.68, payable during that fiscal year. The estimated receipts for the same period fell short \$42,733.39, because taxes to that amount, due on railroads in the hands of receivers, could not be collected during the fiscal year. Had there been no special appropriations, and the taxes had been collected as reasonably anticipated, the estimate made Nov. 15th, 1892, would have been within \$36,433.14 of the deficit on Sept. 30th, 1893.

The year ending at that date was the last fiscal period during which the four mill rate was in force; the receipts thereafter being under the five mill rate.

The deficit on Sept. 30th, 1893, however, though apparently \$334,657.21, may be treated as considerably less for all practical purposes. In the sums which go to make up that deficit are included \$57,790.18 set apart for the Agricultural department. As stated in a veto message to the House on the 21st of February, 1893:

The act creating the department of agriculture provided that the money paid in by it should be kept on a separate account "as a fund for the exclusive use and benefit of the department of agriculture," but when the Code of 1886 was adopted this provision was omitted, and in lieu of it, section 148 provided that the money paid in by the commissioner "must be by the auditor and treasurer entered on

the books of their respective offices to the credit of the department of agriculture." The original section not being carried into the Code, of course, is not now the law, and section 148 is the only provision on the subject. The expenses of the department, since its creation, have not by any means equalled the amount paid by it in to the treasury during that period, and there stands on the books, "to the credit of the department," quite a large sum of money. Since there is no provision forbidding the State from borrowing or using this money, the practice has long been to use it in the fiscal operations of the State as any other money in the treasury. There is a surplus to the credit of the department, but the State has already used that surplus and is a debtor to the department for it. No time is fixed for its payment. It does not bear interest. The department can not use it unless appropriations are made out for it. It is not a debt in the sense requiring provision to be made for it.

The real deficit, therefore at the close of the fiscal year, Sept. 30th, 1893, was \$271,867.03.

#### ARRANGEMENTS TO PROTECT OUR CREDIT.

Comparatively little revenue reaches the treasury after the close of the fiscal year, September 30th, until the middle of January, and unless there is quite a large surplus at the end of the fiscal year, the treasury must look to other sources to meet the large demands maturing during that period. Hence, it was necessary, in the condition of the treasury in the month of September, 1893, to make provision, not only for demands falling due at the close of that month, but also to meet other payments falling due from that time until the middle of January. The constitution forbids the borrowing of more than one hundred thousand dollars, and that sum was insufficient to meet our wants. It was therefore necessary to provide for the prompt payment of the State's current obligations in other ways.

On the 28th of September, 1893, I effected in New York a temporary loan of one hundred thousand dollars from the New York and Security Trust Company, and also arranged with it to take a transfer of warrants drawn on appropriations already made for current expenses, to the amount of one hundred thousand dollars more, that company paying the cash therefor, through the State treasurer,

as its agent to the holder, who transferred the warrants to the company, which took and held them as security until the warrants should be cashed at the treasury. I also arranged with the same company to cash at par our interest coupons due the following January, and hold them also until the treasury was in condition to meet them. For the amount loaned and that used in purchasing the warrants and coupons, the Trust Company was paid at the rate of 6 per cent. per annum, from the time the money was paid out until the warrants and coupons were cashed. Two other temporary loans of \$50,000 each maturing in 30 days, were made with home banks in March, 1894, and promptly paid at maturity. This was done under authority of subdivision 31 of the general appropriation act which had been framed, at my suggestion, with a view to the necessity of such an arrangement.

That the State was able to make this provision at all is a high tribute to its financial standing, for it could not offer any security except its simple note and the assurance that such warrants and coupons as were purchased at par would be promptly met as soon as the taxes were paid, and the arrangement was effected during the height of the great financial panic last year. It would have been impossible, but for the confidence inspired by the action of the last General Assembly in raising the tax rate, to induce capitalists to furnish the needed funds at such a time. But for some groundless assaults upon the legality of the transaction, it would be needless to remark that the constitution was obeyed to the letter; that the State borrowed nothing of the Trust Company beyond the sum allowed by the constitution, and when that company purchased and took a transfer of warrants and took up coupons, payable out of existing appropriations for current expenses, it merely stood in the shoes of the original holders of the warrants and coupons, and the transaction could not therefore involve any increase of the State's indebtedness in the constitutional or ordinary acceptation, any more than the drawing of the warrants and paying them to the original holders would constitute an increase of the State's debt, or otherwise violate the law. By this arrangement numerous needy holders of small warrants, including teachers, maimed soldiers and widows of soldiers, were saved from a ruinous discount on their warrants, and the State was spared the loss of credit and other injury which would have resulted from not promptly

meeting its current expenses, and allowing its warrants to be hawked upon the market. The State promptly reimbursed the Trust company at the stipulated dates; but the payments in discharge of obligations maturing Sept. 30, 1893, were necessarily made out of the revenue for the fiscal year 1893-4, and to that extent swelled the deficit at the close of the fiscal year ending Sept. 30 1894.

#### DEFICIT SEPTEMBER 30TH, 1894.

On the 30th September, 1894, the close of the fiscal year 1893-4, there was cash in the treasury \$45,625.00, which would have been reduced to \$19,816.76, if all outstanding warrants had been paid. At the same time the following amounts were due special funds:

Convict system.....	\$ 3,174 94
Soldiers and widows.....	123,569 59
Two and three per cent. fund .....	183 94
Agricultural department.....	45,037 29
Morrill fund.....	15,450 00
School fund ..	97,263 65
Total.....	<u>\$284,670 41</u>

There was also due the \$12,000 for salaries for the month of September, and \$29,000 for the Insane Hospital for the last quarter of the fiscal year. As that year ended on Sunday these amounts were drawn out and paid during the next (or present) fiscal year, but they properly form a part of the expenditures for the last fiscal year. Claims estimated at \$55,000, owing to a deficiency in the appropriation for feeding and removing prisoners during the last two fiscal years, and also quarterly allowances for military companies estimated at \$3,500, were also due at that time. There were also outstanding warrants for costs in criminal cases, payment of which was withheld because they were payable only out of the convict fund which was not sufficient for that purpose and the maintenance at the same time of the convict system, and there were a few other warrants which had not been presented, the whole of the unpaid warrants amounting to \$23,808.24.

In determining the real condition of the treasury on September 30th, 1894, all these amounts, which were then due, must necessarily be taken into consideration. Warrants had not been drawn at the close of the fiscal year for all of

the school fund apportioned for that period, and the whole amount unpaid was not technically due on September 30th.

The amount not used in any one year however is carried forward and available for the next school year. The whole unpaid balance to the credit of the school fund is therefore, considered part of the deficit. If we deduct from the aggregate of these demands the cash in the treasury at that time, we have a deficiency at the close of the fiscal year 1893-4 of \$364,353.65. Included in that deficit is the sum of \$45,037.29, standing to the credit of the Agricultural Department. For reasons stated, in a former part of this message, provision need not be made for this sum; and the amount of our deficit may, therefore, be taken for practical purposes, as only \$319,317.36, unless special appropriations are made out of the Department funds at this session.

Provision was made to handle the deficit at the close of the fiscal year September 30th, 1894, in the same way as the previous year. I effected a temporary loan of one hundred thousand dollars from the New York Security and Trust Company, and induced it to take a transfer of warrants at par to the amount of about \$215,000, if necessary, and also to take up our January coupons, holding the warrants and coupons until the revenues of this fiscal year would enable the State to pay them and the loan, and paying this company at the rate of six per cent. for the money loaned and used in taking up warrants and coupons. If the loans could have been made for a longer time, or bonds of the State, having a long time to run, could have been issued and sold, the rate would have been less, but with the security and the time of the loan, I was unable to obtain more favorable terms as to the interest.

#### CONDITION OF TREASURY IN 1895 AND 1896 UNDER PRESENT LAWS AND VALUATIONS

The Auditor, on the basis of present laws and valuations estimates the receipts for the fiscal year ending September 30, 1895, at \$1,746,600. He estimates the disbursements for the same period at \$1,986,320. This would make a difference between the receipts and disbursements for that year of \$239,820, but among the sums included in the disbursements for the fiscal year 1894-5, and which will in fact be disbursed during that year the estimated deficiency for feeding and removing prisoners, amounting to \$55,000,

at the close of the fiscal year September 30, 1891. As this item was included in the amounts due for the fiscal year 1893.4 and goes to make up the deficiency stated at its close, it cannot be estimated in determining the deficit for the year 1894-5, although in fact disbursed in that year. The deficiency on September 30, 1895, will therefore, be \$184,820. This will be the condition of the treasury after disbursing \$120,000 for soldiers and widows, which item is placed in the payments of the fiscal year ending September 30, 1895, though in fact it is paid in the next fiscal year. It is proper, however, so to place it to show the condition of the treasury, at the close of the fiscal year 1894-95; for it is a special fund which ought not to be trenced on for general purposes; and if there is not enough money in the, treasury to meet it at the close of, the fiscal year, it constitutes to that extent a deficiency for that fiscal year, though in point of fact payable in the next. The same observations apply as to this item in estimating the deficiency on September 30, 1896.

The Auditor estimates, on the same basis of values and revenue laws, that the receipts for the fiscal year 1895-6 will be \$1,746,500, and that the disbursements for that period will be the same as the prior year, with the exception of fifty thousand dollars for the expenses of the General Assembly and \$55,000 deficiencies for feeding and removing prisoners, both of which should therefore, be deducted from the estimates as to the fiscal year 1895-6. Excluding these two items from the estimates for that year, we will have expenditures for the fiscal year 1895-6 of \$1,881,320, and receipts for same period \$1,746,600, leaving a deficit at the end of the fiscal year 1895-6 of \$134,820, for that year alone and without reference to deficits of prior years. In other other words, the treasury, on the 30th of September, 1896, under our present revenue laws, will be burdened with demands from deficits;

That of September 30, 1894, amounting to .....\$364,353 65  
 That of September 30, 1895), amounting to..... 184,820 00  
 " " " 1896, " "..... 134,820 00

Total deficits..... \$683,993 65

The Auditor's estimates make allowance for shrinkage in receipts of \$85,000 on accounts of the falling off of \$17,000,000 in the assessment for the year 1894, as compared with the prior year; but he estimates the income

from licenses the same as last year. There has been during the past four years a constant decrease in the receipts from licenses; the loss in the last fiscal year, as compared with the year before, amounting to nearly 20 per cent, and the average yearly decrease in the past four years being nearly ten per cent. Business conditions and the low price of our products will assuredly cause some decrease in taxable values during the next two years, and the probability is that the receipts from licenses will continue to fall off. It will be unwise to legislate on any expectations of increased valuations, or to ignore the strong probabilities of a decrease.

To the extent that the demands upon the Treasury cannot be lessened by proper economy it will devolve upon you to furnish further revenues to meet the needs of the Government. I, therefore, first discuss the main matters in which retrenchment is possible, omitting minor economies which will occur to you, before considering the additional taxation which our situation demands.

#### BETTER MODES OF ASSESSMENT.

It will not be denied that the value of property which is assessed and that which escapes taxation, is at least twice as great as the values shown by our assessments. If all this property could be fairly assessed, the present rate of taxation would more than suffice for our wants; but it seems idle to expect this, or any near approach to it, in the light of the repeated failures of legislative efforts, during the past seventy-five years, to cure the admitted evils of escapes from taxation, and unfair and discriminative values. It is certain that just equalization of the burdens of taxation cannot be effected, without a radical departure from old methods one of the most important of which is to, change the mode of selecting tax assessors.

#### APPOINTMENT OF ASSESSORS.

If a tax assessor is intelligent, industrious and courageous, the taxes in his county will generally be justly assessed. On the other hand, if he be lacking in any of these qualities, or subordinates them to a desire to please the people, in order to retain office, the taxes in his county will be inefficiently and generally, unfairly assessed. The assessor, in short, is the system, and the assessment of values in a county depends too largely upon the charac-

teristics of the individual assessor, no matter what the merits of the tax law. Differences with the tax payer as to valuations are often resented as covert impeachments of honesty, and the raising of value as returned under oath as little less than personal affronts. The assessor and tax payer are practically the only parties to differences between them; and if the assessor is conscientious he must adhere to his values and decide against the citizen. It requires a strong man not to yield something to avoid the enmity of large numbers of the people among he lives; and if to the disinclination to make enemies is added the desire to make friends to retain office, self-interest will often overbalance the proper discharge of duty, and the public suffers.

Is it to be wondered at that many assessors feel too keenly their dependency upon the tax payers and seek to avoid their disfavor by small and often partial assessments?

It is no argument against appointing them, that judicial officers, sheriffs, magistrates and constables, who are elected by the people, perform their duties just as efficiently as officers appointed to such positions. There are always two sides to litigation, which must result in favor of one as well as against the other, and the greater part of those who elect the judge are never interested in the controversies which come before him. Sheriffs have no functions which bring them in unpleasant contact with a majority of their constituents; and the same is true of magistrates, constables and clerks of courts. The tax assessor alone, of all the officers elected by the people, inevitably comes in sharp contact with all whose favor is essential to his re-election; and if he discharges his duties well he is sure to be regarded by many as a prosecutor to impose burdens, rather than an officer to ascertain values. The revenue is of the life of the State; and the man who has such important relations to it should be lifted as far as possible above all temptation to shirk the performance of duty. In other important officers Constitutional provisions guard against these influences; notably in the case of judges and sheriffs. The reasons which require these safeguards for those officers, apply with equal force to tax assessors.

It may be urged that the power vested in the Executive to suspend assessors is an adequate remedy to prevent the evils of partiality and under valuations; but reflection



will show that this is not so. With the thousands of assessments of different classes of property, scattered over 52,000 square miles; in sixty-six counties, how is the executive to obtain timely knowledge to justify him in charging assessors with dereliction of duty? What time has the executive, if he pays any attention to his other duties, to hear and decide upon numberless cases of under valuations or escapes, if he should undertake close investigation of assessments in each county? If he should only on the general result of the assessment in counties, his way is not at all clear. The executive may be satisfied that the general result of the assessment in a particular county, proves inefficiency and justifies suspension; but what conscientious man would act upon that view, when the local tribunal, to which the law confides jurisdiction to pass upon assessments, decides that they are fair and declines to disturb them? The remedy is practically valueless in effecting the main objects for which it was intended.

#### STATE BOARD OF ASSESSMENT.

The jurisdiction of boards of revenue and commissioners courts is confined to their own counties. In the nature of things these numerous boards cannot be of one mind as to the valuations of property, or as to the most feasible modes of correcting the evils of under valuations and unjust taxation. For these reasons, if for no other, these boards are powerless to bring about equal and just assessments throughout the State. Besides most of them are dependent upon a local constituency for their election, and they naturally regard themselves rather as guardians of their immediate constituencies than trustees for the whole State, if conflict arises between the interest of the two, in tax controversies.

It is a sense of the injustice of unequal taxation, rather than the amount of the tax itself, which induces many men to return property at unfairly small valuations. It is common to hear a tax payer explain, when complaint is made of such acts, that he "gives in his property just like his neighbors." Considerations such as these, which move individuals, are not without their influence on local boards, in dealing with assessments. There has been more than one instance recently where county boards, ascertaining that property has been assessed generally at higher valuations in their jurisdiction, than property of

equal value in adjoining counties, have reduced valuations, admittedly fair and just, solely because like property in a neighboring jurisdiction was not assessed sufficiently high. Such action is a flagrant perversion of the power of supervision and a declaration that the law if not fairly executed by their neighbors it shall not be respected at home. It multiplies inequality of burdens and undervaluations, but does not equalize taxation in interest of the vast body of tax payers, To prevent these and kindred evils there should be one central authority, with jurisdiction co-extensive with, the State, instead of sixty-six independent tribunals, with limited territorial jurisdiction, as now, to supervise and effect equal and just assessments throughout the State.

Ohio, Maine, California and Illinois have State Boards of Assessments, which are a great improvement upon systems like ours. There are conditions in those States, however, which do not obtain here; and none of these laws, without amendment, would be desirable; though they furnish useful examples upon which to model laws of our own.

The assessor is not an officer whose election or term of office is fixed by the Constitution, and it is competent for the legislature to abolish the office, or change the mode of filling it, at pleasure. It may be best not to disturb the tenure of the present tax assessors; for a law providing for their appointment in future would accomplish all the ends desired by a change in the present mode of filling the office

I recommend that tax assessors be appointed by the Governor and confirmed by the Senate, or nominated by the Auditor and approved by the Governor, and that a State Board of Assessors be created, with exclusive or appellate jurisdiction, if that be preferred, of the whole matter of assessments

The question is one of such importance, and the length of your session is so short, that I respectfully recommend the appointment, as soon as practicable, of a joint committee, with authority to sit during the recess, to consider and report proper legislation on the subject.

#### DRAIN UPON TREASURY FOR FEEDING PRISONERS.

Rate per Diem.

I concur in the Auditor's recommendation that the

price of feeding prisoners be reduced from thirty to twenty cents per day. The latter sum will purchase fully as much wholesome food now, as thirty cents would buy at the time that rate was fixed. The ration usually furnished prisoners is very simple, and the cost of cooking the food quite small. When the number of prisoners is small their meals are usually furnished from the jailor's table, and when the prisoners are numerous they can be fed cheaper in proportion, and the cost of extra cooking is more than over-balanced by the relative reduction in the cost per head. Legislation should in the interest of humanity prescribe the kind of food of which the ration must consist, and the minimum quantity for each prisoner.

Change in the rate, however, is not the only beneficial way in which legislation can relieve the treasury of the constant drain for feeding prisoners. The expense under this head has risen, in round numbers, from \$49,000 in 1844 to \$105,000 in 1894. Neither population nor crime has grown at that rate, and the explanation is not to be found in a proportionate increase of crime during the past ten years. This constantly swelling menace to the treasury is mainly the result of giving fees to officers for services and witnesses for attendance in criminal cases.

#### CHANGE IN MODE OF PAYING FOR SERVICES OF OFFICERS IN CRIMINAL CASES.

The emoluments, of sheriffs, clerks, justices of the peace and constables depend very greatly upon their criminal business and in most instances it forms the greater part of their income. While I am far from assailing the rectitude of these meritorious officers as a class, and feel assured that the great majority of them have not been induced to swerve from conscientious discharge of duty, by the expectation of profit which flow from convictions, yet the fact remains, which is frequently commented upon by grand juries, and can not be ignored by legislators, that there are many officers, who for the sake of fees are stirred to bring every plausible case to the attention of magistrates and grand juries, and, often to incite prosecutions which are either unfounded or for slight infractions of law, which grand juries upon considerations of the public good often ignore.

The stream of prosecutions, which results from the

fondness of one class of our population to resort to the criminal law to settle every petty dispute, would be greatly lessened, if many of the officers, before whom complainants are brought, were not made too ready to entertain them, by the temptation of fees in event of conviction. It is more frequent, too, than is creditable to humanity, that many small violations of law, which otherwise would not be prosecuted, are brought before the courts by a desire to earn a few dollars as a witness fee. As a result of these influences, hundreds and hundreds of petty prosecutions find their way into the courts and are tried there, and the State is put to enormous and largely unnecessary burdens for feeding prisoners, many of whom are finally acquitted, and most of whom ought never to have been prosecuted.

Alabama now makes felonies of many offenses, which were formerly misdemeanors or breaches of civil duty. The moment a prisoner is sentenced for a felony he becomes, if such an expression may be used to describe a human being, collateral, upon the delivery of which to the penitentiary the officer is entitled to draw from the State Treasury all the fees of conviction. This provision was based on the ground that as the State gets the hires, it is just that it pay the costs; but the interest concerned was powerful enough to put the burden upon the State absolutely, and compel payment in advance, whether the convict lived long enough to reimburse it. It matters not, under our present law, whether the prisoner be feeble, diseased or aged, or dies after he reaches the penitentiary—if only he is delivered there, he has a cash value. The inevitable result, is that the tax payers are burdened not only with costs of conviction, but, also, with the care of many sick, feeble, or aged convicts, whose crime and condition are such as would not otherwise invite prosecution.

The payment of fees of officers and witnesses out of the State Treasury upon the conviction of criminals is of comparatively recent date, and the administration of justice in former times was as efficient, and certainly as satisfactory, as under our present system. Our changed conditions make it unjust to officers to return to the old plan, but those conditions plead strongly for a decided change. The present system was in force when the Constitution was adopted, and section 9 of Article XI of that

instrument does not circumscribe your power over the subject.

Government cannot undertake to compensate every member of society in money for every duty exacted of him in the interest of peace and good government. One of the hardest taxes upon the citizen is the law which compels certain of them to work upon the roads without any compensation other than the proportional benefit of good roads. The duty of a citizen to testify against the law breaker, especially where the offense is directed against the person or property of the witness, is an obligation which should be willingly performed without compensation. In cases of extreme poverty, provision should be made by law to reimburse the expenses of needy witnesses, whether summoned by the State or defendant.

There are numbers of our magistrates living in thinly settled precincts where crime is infrequent, who expect and take fees for their services simply because the law gives them. Patriotism and a desire to benefit their neighbors would cheerfully lead them to act as magistrates without fees in criminal cases if in the interest of the taxpayer, the legislature saw fit to withhold them ; and whenever magistrates resigned on that account good men would be found to take their places. The constable, however, is differently situated, and so is the magistrate in a thickly settled beat, where criminal cases take a large portion of his time. Sheriffs and clerks upon whom criminal business is concentrated certainly could not be expected to serve without remuneration. It is not proposed, however, that any officer shall perform services in criminal cases without compensation, but only that the recompense shall not be dependent upon conviction, or measured by fees in each case, but that it be left to the judgment of the County authorities, in view of all the circumstances, to make at stated periods a fair allowance for the whole service rendered during that time. Under existing laws County authorities determine what amounts shall be paid for certain ex-officio services, and the proposed plan is simply an extension of that principle to other services.

Whether viewed from the standpoint of economy, morality or the advancement of justice, the law compelling

officers to rely upon fees on convictions in criminal cases should be repealed.

#### SUBSTITUTE FOR PRESENT SYSTEM.

I recommend that all laws giving fees in criminal cases be repealed, and in lieu thereof, that it be made the duty of the several commissioners courts or boards of revenue to require from sheriffs, clerks, magistrates and constables, a sworn report of services performed during the past quarter in criminal cases, and make these officers such an allowance out of the county treasury as seems just in view of the whole services rendered. The counties might be reimbursed in the case of county convicts by such hires as were received ; and, in case of felonies, provision might be made that the State, after deducting the expense of taking the convict to the penitentiary and maintaining him there, should reimburse out of the earnings, if they be sufficient, whatever the county had paid to officers for services in his case.

It is not unjust, however, that each community should bear the expense of convicting its own criminals ; and the powerful safeguards which local interest would bring to bear against abuses in the administration of criminal justice, when each locality must bear its own burden, would most effectually prevent most of the evils of the present system. It is a safe estimate to say that the reduction to twenty cents per diem for feeding prisoners, and the change suggested as to the mode of compensating officers, would reduce the expenses for feeding prisoners about one half, or over fifty thousand dollars per annum.

I also repeat in this connection a recommendation from my last biennial message :

"The expense of feeding prisoners can be considerably decreased if judges of city and criminal courts were required at short intervals to inquire, in a summary way, into the cases of all persons confined in the jails in their counties upon charges of misdemeanor, and some of the lighter felonies which might be specified in the bill, and in their discretion, in view of the circumstances of the particular case, reduce the bail, or release prisoners on

their own recognizance, when unable to furnish bail. Outside of the cities these duties could be required of probate judges, and the circuit court judges should be clothed with the same authority.

"An act of somewhat similar import was passed by the General Assembly in 1873, but not proving satisfactory was soon repealed. That act gave the defendant an absolute right to be released on his own recognizance, and left the magistrate no discretion whatever, no matter what the circumstances of the offense or the probability of the accused appearing for trial. The law now recommended avoids these objections, by vesting the discretion solely in the judge. The wise exercise of such a power by the judges would considerably reduce the expense of feeding prisoners, without proving in anywise detrimental to the administration of criminal justice."

#### INCREASE OF TAXATION.

The Government of Alabama is economically administered. After all retrenchment within your power the necessity still confronts us of raising more revenue. Under existing laws and valuations the deficits for the past fiscal year, together with those of the next succeeding years, will aggregate \$688,993.63. We cannot meet the necessities of the case by an issue of bonds, since the constitution forbids it. It will not be possible in the future to bridge over our difficulties by temporary expedients, as has been done in the past, unless your action gives confidence that these deficits will be speedily lessened and soon liquidated. With better mode of assessments, and such savings as may be in your power, an additional tax of half a mill will soon place your finances in a healthy condition. I, therefore, recommend an increase in the rate to that extent.

Our situation compels choice of one of three alternatives; either largely reduce the appropriations for the public schools ; disregard the public obligations ; or increase the taxes. It is neither wise nor just to withdraw any of the existing appropriations from the schools. The people of Alabama will not consent to the dishonor and ruin which follow breach of the public

faith. Increase of taxation is the only course left open. To the extent that such increase is necessary representatives may fearlessly impose it, with unhesitating faith in the patriotism and intelligence of an enlightened people.

#### FUNDING STATE'S BONDED INDEBTEDNESS.

At your last session an act was "To consolidate and adjust the bonded debt of the State," which contemplated the retirement of the present bonds and the issue of others at a lower rate of interest.

The act made no appropriation for the expenses of the funding. The new bonds would bear less interest than the old, and the only incentive to the exchanging the old for the new is the longer date to their maturity. The act did not give specific authority to make the new bonds payable in gold which would have added to their value among capitalists, especially those in Europe who would be most likely to invest in our new bonds, and to the inducements to holders of our present bonds to exchange. The outstanding bonds cannot be called in at the pleasure of the State, and to attempt to buy them up—if it had been possible to dispose of the new bonds at a premium, and thus obtain a fund with which to buy old bonds—would have run the old bonds up to a premium, which would practically put them out of reach. Another difficulty is that under the constitution an issue of new bonds can not be put upon the market and sold to provide a fund to buy up bonds whose holders were unwilling to exchange. New bonds can only be issued dollar for dollar to take up the old bonds, and only as fast as old bonds are surrendered for exchange. To make any funding plan a success it was therefore, necessary to induce capitalists, who would be willing to advance money, to undertake the funding operations. The uncertainty prevailing as to the financial policy of the United States during the long extra session of congress defeated my early efforts to interest bond-holders or others in any funding arrangement. Another effort, made last spring, was likewise unsuccessful, because bondholders and others concerned preferred to wait the result of our State



election and the action which the legislature would take to improve our financial condition.

It is advisable to enact new legislation on the subject which should make the necessary appropriation for expenses, and give the governor authority to make the bonds payable in gold, if that be found necessary, and leave the details of the negotiations as flexible as possible.

#### THE CONVICT DEPARTMENT.

On the first of September, 1894, there were 1,577 State convicts and 915 county convicts. The State convicts are located as follows : 792 at Pratt Mines, 334 at Spigeners' and 271 at the Walls and Fort Jackson. The convicts at the Walls are mainly the women and disabled, while those at Spigener's, as a rule, are unfit for work in the mines. The county convicts are nearly all located at Pratt Mines and Coalburg.

The executive and legislature of 1892 come into power by the votes of a majority which declared, to quote the phrase in which their wishes were embodied, that "we demand that free labor shall be relieved of competition with convicts, and all necessary laws shall be enacted to forever prevent such competition."

It was not for those to whom this duty was committed to refuse to perform it, because the change would entail heavy burdens upon the people. They had decided that matter for themselves. Accordingly, earnest efforts were made to frame a system which would accomplish the desired ends, and complete it as early as the means at our control would permit. The State was fortunate in securing the services of very eminent business men to undertake the management of convicts under the new system, and their efforts were heartily seconded by all the officers of the convict department.

The managers purchased 4,508 acres of land at Spigeners at a cost of \$44,722.25, all of which has been paid except \$11,000. They also purchased 720 acres of land near the penitentiary at a cost of \$5,748.34, all of which has been paid. This last purchase was made to secure a debt due the state for convict hires which could not

otherwise have been collected. In making the purchase of these lands the Board had in view not only the present needs, but the enlargement of the system. The site was selected on account of its desirability for manufacturing purposes, its health, convenience of access and transportation facilities.

The entire income from all sources from Sept. 1st, 1892, to Sept. 1st, 1894, was \$253,215.07, while the expenses during that period, including outlay for land and other property now on hand, were \$205,551.54. In the expenditures, however, the amount disbursed for court costs is not included.

The foundations of the new system were laid, and much work done to perfect it. The managers, however, were without sufficient means to erect manufactures or establish plants which were essential to the proper employment of the convicts, and such of them as were available were employed in preparing the prisons at Spigeners, clearing the lands, making brick, and then engaged in agricultural pursuits. Without much larger appropriations than heretofore it will not be in the power of the managers to complete preparations in time to receive the large number of convicts which will come under their control at the expiration of the present lease, or to employ them afterwards in any way in which the department can be made self-sustaining. You will have to provide for all these contingencies.

The evils of the lease system are a part of the history of our State. If we return to that system, its evils will also return to plague us. If our situation compels a halt, the new system should not be abolished but only suspended.

I invite careful consideration of the report of the Board of Managers, and accompanying documents, which give detailed information of receipts and expenditures and other statistics. Their recommendations and suggestions are entitled to great weight, and I believe with them that it is practicable to complete the present system, if freed of the heavy burden of paying the costs, which has not only taken so much of the earnings of able convicts, but entailed upon the Department the support of so many who can not earn their subsistence, much less the costs of their conviction.

## SUPPRESSION OF DISORDER DURING STRIKES.

## Strike at New Decatur.

On October 3d, 1893, information was received of impending trouble of a serious nature at New Decatur, growing out of the strike of several hundred men employed in the railroad shops there. A forged order from the United States Court, directing the reinstatement of the strikers, impressed numbers of them with the belief that they would be justified in a forcible seizure of the shops, and that it would be unlawful for the guard at the shops to resist force by force. It was the prevalent opinion that the trouble would culminate next morning, and serious bloodshed and destruction of property ensue, which, under the existing conditions, the civil authorities could not prevent. Accordingly Col. Clark, with the local companies in Jefferson county, was ordered to proceed on a special train that night to Hartselle, not far from New Decatur, and there await orders, but was afterwards directed to proceed to the latter place which he reached early the next morning. The timely presence of the troops prevented all further trouble, and after receiving assurances from the organizations engaged in the strike that it should be conducted peaceably, the troops were ordered to return on the night of October 4th.

## THE MINERS' STRIKE.

On the 14th of April, 1894, over seven thousand coal miners in Jefferson, Walker and Bibb counties joined in a strike, partly for reasons of their own and partly in sympathy with the general strike ordered by the United Mine Workers of America. The strike was destined to be of long duration, and had the sympathy and assistance of large numbers of the people of those counties, which, until finally alienated by repeated acts of violence, were often misinterpreted by the lawless as tacit, if not open, encouragement of their violence, and added very greatly to the difficulty of maintaining law and order.

The country was then slowly recovering from the terrible depression of the previous year, and this strike

added to the number of unemployed and suffering, and the consequent danger of turbulence. Success of the strike depended upon restricting the output of coal; but the work of the large number of convicts in the mines threatened to defeat that result, and inflamed resentment to such a pitch that many of the more violent strikers advocated force to remove the convicts. Among this violent class, a few of whom had purchased arms and drilled together, were a number of negro miners, some of whom were ex-convicts, quite a number of white miners who could not speak our language, and many who had left Tennessee because of their participation in the "Coal Creek War." A heated political struggle was then in progress, and there were not wanting men who, for partisan ends, fomented irritation and made appeals to the lowest passions of the unemployed. Serious commotions and turbulence seemed inevitable, and I therefore kept in constant communication with the sheriff, and perfected arrangements for promptly gathering and receiving intelligence of any changes in the situation.

During the first few days of the strike conservative miners checked open acts of violence, but it was ushered in with intimidation and threats against the persons and property of those who continued at work. Apprehension that these threats would be carried out, caused many appeals to the civil authorities for protection, resulting in the stationing of scores of deputies around the mines, which further intensified feeling.

In consequence of representations of anticipated trouble next day, I visited Birmingham on April 21st and conferred with the sheriff. Anxious to avoid the use of the broods, and desiring to bring to the aid of the civil authorities the active co-operation of the strikers, as well as to place responsibility upon them, as far as possible, for the maintenance of order, I had a conference next day with the Executive Board of the United Miners of Alabama, which, as the representative head of the miners, was charged with the conduct of the strike. After reviewing the laws bearing upon the situation and explaining to the committee that the authorities were not charged with any functions concerning the strike, as such, and, so long as the peace was preserved, could do

nothing that could possibly affect it, except to use their good offices, if practicable, to bring about a satisfactory adjustment, I impressed upon the members the consequences which would result from violence, and the obligation which rested upon them to give active aid and moral support to the authorities. The committee promised to do all in its power; but admitted there were a number of miners whom it could not control and for whom it would not answer. Whatever the committee's good intentions, I soon learned that its influence was a very slight barrier to acts of violence upon the part of the strikers.

During the next thirty days the situation grew steadily worse. Early in May, a large mob, mainly of striking miners from Jefferson county, invaded Horse Creek in Walker county in the night time, blew up the works at one mine with dynamite, and set fire to another, and then dispersed so quickly that pursuit was not practicable. Shortly afterwards, at Pratt Mines, in the vicinity of which the State convicts are confined, strikers murdered a miner named Glover, who refused to quit work, and attempted to assassinate another, named Holman, for the same reason. The presence of the sheriff with a strong posse to protect Holman from mob violence, while on a preliminary trial for a misdemeanor at Pratt City, excited so much hostility on the part of the strikers that a bloody riot was barely averted by the prudence and firmness of the sheriff. In the vicinity of Pratt Mines armed strikers secretly met for the purpose of releasing the convicts by force, and abandoned their contemplated attack solely because their leader, failing in courage, surrendered to the sheriff, and information had reached them that the local troops had been ordered to their armories. Armed bodies of miners began to move over the country in the night, and exchange of shots with the guards and the explosion of dynamite and other demonstrations to terrorize operators and miners were not infrequent.

It was not without hesitation that I refrained from ordering troops to the scene on my own responsibility, some days earlier than the sheriff called for them; since conditions far more favorable than ours for the preser-

vation of the peace, in Ohio, Pennsylvania, West Virginia and other mining States, during the same strike, speedily brought forth bloody riots, seizures of railroads, burning of bridges, and interruption of traffic, and it seemed unwise to risk further delay. The sheriff, however, who was on the ground, and who acted throughout with great wisdom and firmness, held to his conviction that the civil authorities and local military could cope with the situation, and did not ask for other than the local troops until the 25th day of May, when he made a formal call under the statute for further assistance.

The Second Regiment was at once ordered into camp at Ensley City, which had been previously selected, owing to its nearness to Pratt City and the convict stockades, and the ease with which other threatened points could be reached by rail. As it was about the season for the annual camps of instruction it was determined not to call the troops into active service for the enforcement of the laws, but to put the three regiments in succession in camp of instruction at Ensley City, for a period of ten days each, where their presence and availability for service, would accomplish all the desired ends. The Second Regiment was in its turn relieved by the First Regiment, and it, in turn, by the Third. In this way, at no other cost to the State than the subsistence and transportation of the men, a force of five hundred troops was constantly kept at Ensley during a period of thirty days. Their presence subdued all further attempts at organized violence, but could not prevent frequent attempts at bridge burning and assaults upon unprotected watchmen, to which the lawless confined themselves after the arrival of the troops. During the tour of duty of the First Regiment, 200 men, under Col. Williams, whom I accompanied, were ordered to Blue Creek to prevent a threatened attack upon the miners at work there ; but hews of the movement of the troops preceded them, and the mob, the numbers of which had been greatly exaggerated, had dispersed. A similar experience followed the sending of a detachment of 80 men from the same regiment on June 12th to Chinn's Trestle, the destruction of which was threatened by a body of armed men. As the tour of duty of the last regiment expired on

the 23rd of June, and the situation, though quiet, was not satisfactory, a force of about 250 officers and men, who volunteered for duty, were ordered into active service at Ensley for an indefinite period. On the 30th of June, no acts of violence having been repeated since the 23rd, and, after a personal conference with the Sheriff, this force was ordered home, as there were no indications of further trouble which the civil authorities and local military could not control.

#### THE RAILROAD STRIKE.

The passions of the miners's strike which were then slowly dying out were suddenly revived by the railroad strike which was inaugurated at Chicago under the auspices of the American Railway Union, and extended to Birmingham on the night of July 7th.

This same strike by its blockade of inter-State highways elsewhere had already thrown numbers of our workmen out of employment, denied many of our farmers a market for their produce, and increased the cost of the necessaries of life to all. The acts of violence and bloodshed, at times bordering almost on a state of war, which accompanied this strike in its progress through other States to Alabama, gave emphatic warning of what might be expected from it here. The repetition and increase of these evils by a lawless blockade of our own highways would have been calamitous. The minds of many ordinarily self poised men employed upon our railroads seemed possessed of a temporary frenzy, which made them easy converts to this causeless crusade against our prosperity, and aggravated as the situation was by the disorders and passions of another strike, it was difficult to foresee the intensity and duration of the struggle precipitated by the movement. It seemed a duty, therefore, to appeal to the reason and patriotism of those of our own citizens who were expected to engage in this war upon our own people, as well as to arouse public opinion against it Accordingly on the 7th day of July I issued a proclamation denouncing the folly and wickedness of attempting to interrupt the use of our railways, and bring harm upon the whole people,

in order to force the adjustment of a dispute between a Chicago manufacturer and his workmen, with which the people of Alabama had no concern, and in the settlement of which they had neither voice, influence nor control.

Adequate preparations to suppress the lawlessness which was imminent, could not ignore the grave consideration that the turbulence born of this new strike would surely be swelled in volume by renewed violence in furtherance of the old strike, and that to the task of subduing the combined forces of both in Jefferson county might be added the necessity of dealing at the same time, with disorder resulting from attempts to blockade our highways at other points, unless the fate of the effort at Birmingham discouraged such attempts elsewhere. Accordingly cautionary orders were issued to all the troops, and preparations made to afford strong and prompt support to the civil authorities.

July 8th, the second day of this strike, was one of anxiety in Birmingham. The turbulence of the parent strike in Chicago, and its probable effect upon the local strike were all-absorbing topics, and added greatly to the excitement. Owing to the depressed condition of business, and the long duration of the mining strike, many men were out of employment and becoming desperate, and this new strike doubled their number; while all the lawless elements in the city were ready to take advantage of any opportunity it might afford for incendiarism and plunder. Crowds of strikers, though many sight-seers mingled with them, gathered in the passenger station and approaches, making the movement of trains almost impracticable. Committees or individuals met each train on arrival and departure, and by persuasion and threats sought to induce the train men to leave their posts, and this led to frequent quarrels and altercations, while the vast throng looked on, jeered and yelled, and hourly became more disorderly and reckless.

The small police force and deputies who could be spared from other points was too weak either to clear the station or preserve order. Any attempt by this small force to do so, especially if blood was shed, as was



probable in the temper of the crowds, would have been the signal for general bloodshed and destruction of property; and, on the other hand, to stand still and allow the disorder of these crowds to continue unchecked much longer was sure to result in rioting and destruction of property. A reliable and effective posse was not available to the civil authorities under the prevailing conditions, and they looked forward to the next day with grave forebodings.

I reached Birmingham at midnight on July 8th, and at once conferred with the sheriff and acting mayor. We all agreed that a strong body of troops should be thrown in the city at once, and proper orders to that end were immediately issued. Under statutory authority all bar-rooms and gun shops were ordered to close.

The local troops under Col. Clarke were ordered to take possession of the station and disperse the crowds there early the next morning, without waiting the arrival of other troops, knowledge of whose coming tended to prevent any resistance which might otherwise have been opposed to the local troops alone. The station and approaches were cleared without much serious resistance. As Col. Clarke and his command had been on duty almost constantly since the beginning of the strike it was determined to relieve them on the arrival of the other troops and hold them in reserve, which was done about midday on the 9th of July when about 600 men, under Major Gen'l Whiting, whom I had assigned to the command, reported in Birmingham.

During the next week the troops were employed in guarding and regulating the passenger station and approaches, protecting the round-houses and other railroad property which was threatened with destruction, dispersing the crowds and preventing interference with property and trains. The effect of public opinion as well as the display of the power of the State and the evident determination of the authorities to enforce the law, soon brought this reckless strike to an end.

#### RENEWED VIOLENCE OF MINERS' STRIKE.

On the 16th of July, all apprehension of danger from

this strike having passed, and the situation being reported as peaceful in the mining districts, all the troops were relieved from duty and ordered home. About five o'clock in the evening and within two hours after the last of the troops had left, information was received at Birmingham, where I still remained, that a mob of several hundred armed strikers were murdering negroes and guards at slope number 3, near Pratt City, about eight miles distant from Birmingham. In the midst of the turmoil, in which the city was thrown by this news, several attempts were made to set fire to cars and destroy other property there. This violent outbreak in so short a time after the departure of the troops, and evidently planned with reference to it, and followed by simultaneous efforts at incendiarism in the city, indicated, not only the frenzy and madness which the presence of troops had kept in check, but a general combination on the part of the vicious elements to engage in simultaneous acts of violence in different parts of the county. An immediate return of the troops then enroute to their homes was therefore ordered. They commenced to arrive at Birmingham within three hours, and by next day the whole force was again on the grounds.

On the first news of the outbreak a small guard which had remained in camp to protect public property, was ordered to the scene, under Lieutenant Erwin of my staff, and instructions were sent to Col. Clarke to follow with the local batallion. Neither the sheriff's posse nor the troops were able to come up with the mob which had scattered after a sharp fight with a few of the guards, in which B. W. Tierce, one of the guards, and three negroes were killed, and other men wounded including several strikers. The near approach of darkness rendered the attempted pursuit impracticable, and the local troops were stationed for the night at the different slopes, and afterwards with other troops concentrated in camp at Ensley City, from whence they could easily move to repel attacks upon the miners in the adjacent mines, who were afraid to continue at work without such protection. The other troops were stationed in camp in the city of Birmingham to preserve order there and in the adjacent territory.

The sheriff within a few hours after the massacre near Pratt Mines, arrested over one hundred persons for participating in it, and confined them in the county jail, and there was apprehension of a forcible attempt to release them. Several efforts at incendiarism had occurred in the city, and a large fire was attributed to such an origin. Sentinels on duty were frequently stoned. The miners' strike was still unsettled, and renewed collisions were probable from efforts to put new men at work. It was, therefore, necessary to retain a strong body of troops in the county until normal conditions were restored, which was hastened by the action of the citizens of Birmingham in organizing and arming companies to support the civil authorities, when the troops were removed. The strength of the command was diminished as fast as improvement in the situation permitted, until the mining strike was settled. On August 14th the troops were removed, after a service in which large numbers of them had been on duty for a period of seventy-three days. The railroad companies made no charge for the transportation of troops during the railroad strike. The expense :for transportation, subsistence and pay of the troops, during the period for which they were ordered into active service, amounted to \$35,385.95, which, in view of the number of troops, the distances over which they were transported, and the length of service, was light, and reflects great credit upon the staff departments, the burden of whose labor fell mainly on Col. B. L. Holt, Quartermaster General.

Thus ended the most formidable and threatening commotion in the history of our State, in times of peace. Its lessons will not be unheeded. The time is distant when lawless combinations, no matter what their strength will again challenge the supremacy of the laws by force, or forget the deep attachment of the masses for the blessings of liberty regulated by law, which caused thousands of our citizens, at the first sign of danger, to volunteer for the defense of the State. Our people have been taught as never before in this generation, the force of the truth declared by the fathers that a well regulated militia "is necessary to the security of a free State." The comparative ease with which the disorder was confined to

narrow limits and finally subdued, when contrasted with the struggle under like conditions elsewhere which brought forth so much of anarchy and terror, gives to the world assurance that the blessings of peace and enlightened government are nowhere more highly prized, or better secured against the domination of mobs, than in our midst.

#### MOBS AND REMEDIES TO PREVENT THEM.

While the ability of the State to deal with open revolts against the supremacy of its laws has been amply demonstrated, I regret that deplorable acts of violence have been perpetrated, in at least four instances, within the past two years by mobs, whose work and quick dispersions rendered it impossible to protect their victims. Within the past two years nine prisoners, who were either in jail or in the custody of the officers, have been taken from them without resistance, and put to death. There was doubt of the guilt of the defendants in most of these cases, and few of them were charged with capital offenses. None of them involved the crime of rape. The largest rewards allowed by law were offered for the apprehension of the offenders, and officers were urged to a vigilant performance of their duties, and aided in some instances by the services of skilled detectives; but not a single arrest has been made and the grand juries in these counties have returned no bills of indictment. This would indicate either that local public sentiment approved these acts of violence or was too weak to punish them, or that the officers charged with that duty were in some way lacking in their performance. The evil can not be cured or remedied by silence as to its existence. Unchecked, it will continue until it becomes a reproach to our good name, and a menace to our prosperity and peace ; and it behooves you to exhaust all remedies within your power to find better preventives for such crimes.

A committee of the general assembly has far greater facilities for extracting facts than the executive. I recommend that an investigation be made of these cases, which if productive of no other result, will at least convince law breakers that the State will exhaust every means within its power to punish mobs.

It can not be denied that in many instances the success of these efforts against prisoners, is due either to cowardice, false standards of duty, or the sympathy of officers with the lawless purpose to dispose of their prisoners .

Some indeed contend that an officer is not bound in law and honor to fight in defense of his prisoner, if he thereby risks the loss of his own life, or where resistance, if attempted, would prove useless. Such a standard of duty finds no support in the law of either God or man, and subverts the great law of honor, which runs through all the relations of life, that when a man becomes another's keeper he assumes relations which he can not evade or throw off at will, no matter what the personal peril to himself. A statute declaring in terms that any officer entrusted with the custody of prisoners is bound in law and honor to fight in their defense against mobs, no matter what the peril to the officer, or the probability of successful resistance, would have a happy effect.

As a further stimulus to courageous discharge of duty in such cases, authority should be vested in the governor to suspend from office, until the next meeting of the next general assembly which would pass upon the case, any officer who fails to resist mob violence against his prisoners. Impeachment proceedings are not regarded as formidable, in localities where grand juries and magistrates alone are unable to obtain any proof as to the participants in mob outrages, when it is almost matter of common knowledge in the neighborhood.

It would also quicken public opinion, and aid in suppressing mob outrages, if a statute were passed giving the family or next of kin of any person who is taken from the custody of the officers of the law and put to death by a mob, a right of recovery against the county where the crime occurred, unless blood is shed in defense of the prisoner, or some of the participants in the mob are convicted within a year.

Statutes of this kind early found their way into the laws of the mother country and remain unrepealed after long experience, and their principle has been further extended in some of our sister states by making cities and communities answerable to owners of property destroyed

by mobs. Such legislation is not amenable to the objections which some years ago caused the repeal of a somewhat similar statute of our own. That statute gave a penalty against the county not only where any person was murdered by any "outlaw," or by any "person in disguise," or "for past or present party affiliation," but also in cases of certain, assaults and batteries. Its effect was to draw the community into litigation over almost every homicide, and to induce perjury in order to attach a political hue to many violations of laws, solely for the sake of personal gain.

All men realize when a prisoner in the actual custody of the law is taken away by lawless violence and put to death, that a double crime is committed; for not only is a citizen murdered, but the dignity and authority of the state are outraged and defied at the same time. A civil responsibility fastened upon the community which permits such outrages, and elects officers who will not resist them by force, would bring none of the evil consequences of the former statute, and would be promotive of peace and the protection and security of life.

One cause of mob violence is the delay in the trial of criminals in our courts. The judicial force is not sufficient to promptly try offenders, when courts of criminal jurisdiction are held but twice a year in a county, and the time allotted for their sessions is frequently insufficient, to dispose of all the business. I renew the suggestion in my special message of February 6th, 1893, that a new circuit created out of some small county or counties whose business will require but little time, leaving the judge subject to directions from the governor or chief justice to hold special terms of court for the trial of criminals in cases where the public good would be imperiled by waiting until the next regular term. The mode suggested is the only feasible one under the present constitution, to cure the evils of long intervals between the terms of court, and consequent delay in the trial of criminal cases, and the clogging of business where judges<sup>^</sup> are prevented by sickness or other providential cause from holding regular terms. The saving in the cost of feeding of prisoners, to say nothing of the other public benefits, would more than reimburse the State for the salary of the additional judge.

## THE STATE TROOPS.

The State troops are composed of the flower of the young men of all classes of our population. They are as indispensable an arm of the government as the courts or the legislature, and their effective existence gives a sense of security and confidence in a continued reign of law and public tranquility, which is of inestimable value to the prosperity and happiness of the people. Patriotism and earnest devotion to the law are the sole incentives to the citizen soldier to the risk of life, pecuniary loss, and deprivations, which fall to his lot in the service of the State. They receive no other reward than the consciousness of duty faithfully performed. The State makes little provision for them. The demagogue and anarchist deride them. The good citizen too often misunderstands them, and is indifferent to their welfare, yet year after year the organization has continued so increase in efficiency, and render willing service to the people. This splendid organization, which more than once has stood between law and anarchy, and has never yet been aught but the trusted servant of the civil power, deserves and should receive all the encouragement and aid in your power. Any reduction in the small support which the State now gives them would promote anarchy, not economy.

A large debt of gratitude is due for the great service of the State Troops in the troubles last Summer. For thirty days, without other compensation than food while on the scene of trouble, and transportation to it, they stood guard over life and property, at much personal inconvenience and loss; and for another longer period, during their active service, they received a pittance which the day laborer would refuse for peaceful employment, while civil officers and private guards, doing like duty as the troops, were handsomely compensated. Under most galling provocations and insult there was no instance of oppression of the citizen, or the slightest disrespect of the civil authorities. Their conduct excited the admiration of all law abiding people, and won the respect even of the lawless.

The report of the Adjutant General gives an interesting and detailed account of the military operations dur-

ing, the late trouble, and contains many recommendations to which your earnest attention is invited; especially those relating to the re-organization of the regiments in the interest of economy and to conform to a change in the tactics.

The State is now responsible for all the arms and camp equipage in the hands of the troops, which remain the property of the United States and are accounted for to it. Two of the batteries are without proper shelter for their guns, and there is no provision by which proper armories can be rented for them. This should be remedied.

Lt. J. B. Erwin, 4th U. S. Cavalry, who has long been on duty with the State troops, has been ordered to return to his regiment on the 15th of December next. It is due him to acknowledge the valuable aid and services rendered at all times, and especially during the time when the troops were in the field last Summer.

#### SUPPRESSION OF BOYCOTTING.

The evils of "boycotting" require further legislation at your hands. Unlike the strike, it is not a legitimate weapon of offense or defense, since it assails those who are strangers to the quarrel. By threats of inquiry to his business and relations with others, it seeks to enforce the citizens to become a partner in the reprisals and revenges of other men, and thus embroils individuals and communities in every controversy within their borders. It is destructive of individual liberty and freedom of action; the oppression of the weak and defenseless, and is the ready instrument of anarchy. It is this spirit which burned bridges and imperiled the lives of innocent travelers last summer; because railroads would not violate imperative duties to the public by refusing to transport coal, dug by workmen obnoxious to others who would not then work in the mines, It is the same spirit, grown insolvent with fancied power, which lately attempted to blockade our highways, and inflict grievous harm upon the people of the whole State, because public carriers, defying lawless dictation, declined to transgress the law, by boycotting a carbuilder who had an unsettled quarrel with his workmen in another State. Civil remedies are



not adequate to protect society or individuals against such wrongs. Criminal legislation can effectually deal with this growing evil.

#### BETTER PROTECTION TO LABOR.

Strikes, though in form differences with employers, are often nothing more than relentless war of labor against labor, in which those who leave unsatisfactory employment wage war upon others, to whom it is satisfactory, to prevent their accepting it. When strikes assume this phase the dignity and rights of labor are most trampled down by those who profess to champion them; and the sacred right of the workman to determine for himself when, for whom, and at what price he will labor, is wrenched from him by deplorable intimidation and violence on the part of his fellowworkmen. Public opinion, at last must be the main corrective for much of this evil, but true friendship for labor, as well as a due regard for society, requires more stringent provisions than our laws now furnish, to prevent and punish intimidation and violence against men who work, on the part of others who insist on keeping them idle.

#### ARBITRATION FOR LABOR TROUBLES.

In this era of over production and extraordinary transportation facilities, and the ruinous competition which they beget in many branches of industry and trade, it is not always the fault of men that they are without work, or of employers that they do not offer or pay remunerative wages. Contentions between employer and employed as to wages and the modes of conducting business will perhaps be more frequent in the future than in the past. The right to strike which is often used as a remedy in such controversies, like the right to bear arms, is often abused: but it is essential to self-defense and ought not to be curtailed. Strikes are generally, public evils, and wise statemanship will seek to diminish their frequency. Many labor contentions would not take the form of strikes if the opposing parties had a tribunal, which commanded their confidence, to which they could voluntarily resort

to submit the justice of their respective differences. The creation of such Boards of arbitration, models of which can be found in the legislation of several of our sister States, would tend to lessen the frequency of strikes and to more satisfactory relations between workmen and employers, and I, therefore, recommend such legislation.

The power of such Boards must, of course, be confined to the decision and publication of the merits of controversies, leaving it to the interest of the parties and the power of public opinion to induce submission to their awards. Compulsory arbitration as a remedy for any labor trouble is a delusion. The power, which can compel the workman to labor for a given period at a price or on terms fixed by others without his consent, has absolute mastery over him and would finally enslave him; while on the other hand, any tribunal which can determine, against the consent of the owner, what value shall be allowed for the use of his property and skill in a business, or the terms upon which it shall be conducted, is a tyrant, which can confiscate his property and destroy his liberty. The granting of such power over either workmen or employers, even if the Constitution permitted, would be a fatal blow to free institutions and a backward step for civilization. It make serfs of those who work, and State tenants of those who own property.

#### AMENDMENT OF ELECTION LAW.

It is to be regretted that laws relating to the ballot should ever be matters of partisan dispute. The legislation at your last session which is nothing more than the Australian system, with liberal, modifications to prevent disfranchisement of unlettered voters, was most bitterly opposed by those who claimed to be most strenuous advocates of fair elections. Time and experience have proved that the law was not open to the objections so violently urged against it, and the results have given satisfaction. To induce cheerful acquiescence in the declared result, elections should not only be fair but should be believed to be fair. This can be accomplished by legislation securing the appointment of inspectors, clerks and fixers at each polling place, nominated by the proper

authorities of each of the parties having candidates to be voted for at the election. I recommend such legislation.

I also renew the following suggestion from my last biennial message :

"The people rule and execute their policies through political parties. The party primaries and conventions by which men are named for public service, therefore, become of vital concern to the state. The safeguards which the law throws around legal elections, may, in a large measure, be wisely extended to these preliminary gatherings of the citizens, which in reality give and transfer the political power of the state. Such safeguards would also add to public content, and disarm the cry of fraud, in which disappointment sincerely indulges, but which quite as frequently is the unmanly acceptance of defeat, and insincerely urged to further future ambitions."

#### ENCOURAGEMENT OF MANUFACTURES.

Some of our sister states exempt from taxation for a limited period property invested in factories and like undertakings, while Alabama does not. This has induced many enterprises, which, on account of climate- and nearness of raw material, are now leaving their old locations to go to neighboring states, when otherwise they would come to Alabama. It may not be wise to exempt any property now here from taxation, because a manufacturing plant is located upon it. On the other hand, it does not seem unwise or inequitable while taxing the land upon which a plant is located to exempt from taxation,; for a limited period, plants and capital invested in enterprises which would not come here but for such inducements. If it is within your power, about which there is considerable doubt, such legislation would be productive of much good, not, only by attracting thrift and capital, but in the end in adding largely to the taxable values. While not a duty which could be imposed upon them by law, I doubt not that the judges of the supreme court, if requested by a joint resolution of the two houses, would give their opinion on the subject, and the question would be practically settled. If favorable,

the general assembly could pass such legislation as it deems desirable, at the present, session, and investors would then act with confidence.

#### CHANGE OF PUNISHMENT FOR SOME MISDEMEANORS.

We have far too many misdemeanors, and our system of imprisonment for costs as well, as fines often inflicts sentences of shocking severity even for the lightest offenses. A sentence for a chance affray, for instance, or a failure to work the roads, may warrant nothing more than the imposition of a very light fine, but when the imprisonment for costs is added it swells, the punishment out of all proportion to, the gravity of the offense. The man who pays the small fine and costs receives his liberty, while the other, having, no estate, is punished by months of hard labor in the mines. It is difficult to defend either the severity of the sentence or the discrimination, since it seems a punishment for poverty rather than crime. The man who suffers such imprisonment smarts under its injustice and, is often ruined as a citizen.

The number of punishments, out of all proportion to the degree of the offense, is very large and should cause solicitude. It would be far better in punishing most misdemeanors, certainly those that involve little or no moral turpitude, to provide a, less severe and more uniform penalty. Instead of sending defendants to the mines for months to pay the costs of conviction for slight misdemeanors, it would be better, especially for the first offense, to substitute punishment by solitary confinement in jail, upon bread and water, for a few days. Such punishment administered under the direction of a medical man would not be "cruel or unusual." It would not be out of proportion to the offense, nor as severe or degrading as long imprisonment in the mines, and would have as great an effect in inducing observance of the law. Such confinement would not directly produce revenue, but in the end it would save the multiplication of convicts, and the resultant evils.

#### THE PUBLIC SCHOOLS.

The total amount, including poll taxes, appropriated

for public schools for the scholastic year ending September 30, 1894, was \$633,519.41. The number of pupils enrolled was white, 190,305; blacks, 115,709. They were taught by 4,412 white and 2,296 black teachers, the white schools numbering 4,439 and those for blacks 2,196, exclusive of schools in cities and separate school districts.

In spite of the depressed condition of the country the public schools have made considerable progress during the past two years. Under the wise administration of the superintendent, the schools have improved in excellence, while public interest in them has been greatly quickened, and the people have become more thoroughly aroused to the necessity of a vigorous and concerted private effort to supplement the state appropriation.

In our present condition, you will not find it possible to increase the appropriation from the state, unless it be by means of more efficient provision for the collection of the poll taxes. The interesting report of the superintendent contains some valuable recommendations to which your attention is directed.

#### THE STATE UNIVERSITY.

The annual reports of the trustees of the University of Alabama for the last two years will be submitted to you. They show in detail its condition, and the gratifying progress and improvement made in its several departments. While the attendance has been less than in more prosperous years, it has continued to improve in other respects, and nothing is lacking, under the guidance of its able body of professors, to rank it among the highest institutions of the kind in this country, save a large endowment fund, which is not now in your power to grant.

#### AGRICULTURAL & MECHANICAL COLLEGE.

The reports of the trustees of the A. & M. College shows that this institution is in a prosperous condition and doing excellent work for the state, especially in the department of technical education, for which it is so-well fitted. It is a great ornament to Alabama and its

excellence has attracted attention in foreign countries as well as our own.

#### ALABAMA BRYCE INSANE HOSPITAL.

This great charity continues to stand among the foremost institutions of the kind in the world. No one would wish to see its usefulness curtailed. The reports of the trustees, which give full information of its condition, show the excellent system and economy which pervade the institution.

#### INSTITUTE FOR THE DEAF.

The report of the trustees of the Alabama Institute for the Deaf, which includes that of the Academy for the Dumb, the Academy for the Blind, and schools for negro deaf mutes and blind, will be laid before you. The excellent printing of this report, which will attract attention, is the work of its pupils.

These institutions are doing great good and are well managed. The state, and these institutions alike, sustained a great loss in the death of Dr. Henry Joseph Johnson, their late principal. He was to the deaf, dumb and blind what Bryce was to the insane, which is high but nevertheless just praise.

#### OYSTER LAW.

Under the present law the expenses of inspection are greater than the income, and legislation should be had at this session to remedy the evil, either by lessening the number of inspectors or by increasing the tax, and also to cure some obscurities in the act in particulars which will be laid before you.

#### BOARD OF HEALTH.

The report of the state board of health shows the great work of this important department, riot the least of which was the conduct of the quarantine against yellow fever in 1893, when that duty was undertaken for

the first time by the state. This quarantine was faithfully and economically conducted, and gave a satisfaction and sense of public security which was not possible under the old system: when numerous local bodies, each for itself, enforced varying and sometimes conflicting regulations. I acknowledge the cordial co-operation and great service of the state health officers. It would be false economy to lessen in any way the present support of the state to this department; for it grows more and more indispensable to the welfare of the people.

#### RAILROAD COMMISSION.

The reports of the railroad commission give a full insight into the good work of this department.

The relations between the railroads and, the people are generally amicable. Many of our railroads are in the hands of receivers, and it has been a struggle on the part of others to prevent a like fate. I am sure that any encouragement which can be extended by any wise legislation to these, great developers of our state will find favor at your hands.

#### EXAMINER OF PUBLIC ACCOUNTS.

The reports of the examiner of public accounts are in the hands of the public printer and will be laid before you. The work of this meritorious and excellent officer speaks for itself, and has been of great benefit to the public service.

#### DEPARTMENT OF AGRICULTURE

The report of the commissioner of agriculture shows the good work of this department, which has been largely directed to inducing desirable immigration, as well as directing attention to the growing of tobacco, and improvements in farming methods generally. At the last session the tax on fertilizers was reduced to 25 cents per ton. The purpose of this legislation was to reduce the price to consumers to the extent of the reduction from the former tax. It has not had that effect.

The appropriations made out of the funds arising from this source including those at the last session, imperatively requires an increase of the tax or the withdrawal of the appropriations. I recommend the former.

#### CODIFICATION OF LAWS.

Under the constitution the laws must be codified in 1896. It will devolve on you at this session to pass proper statutes authorizing the work, in order that the results may be laid before your successors and adopted within the time fixed by the constitution.

#### MAIMED AND INDIGENT SOLDIERS' FUND.

The laws on this subject need amendment to prevent unworthy applicants from sharing in the benefits of the special tax. I recommend legislation requiring the appointment by the Governor of a board of three citizens in each county, with proper authority, to investigate and pass upon claims of applicants. Old soldiers would be glad to serve upon such boards, without compensation, since it would enable them to protect their comrades from imposition, and in counties where it was not practicable to appoint such boards, there would be many others, who for the good to be accomplished, would cheerfully act without charge. Under the present law, there is practically no way to contest the claim of an unworthy applicant, and few people know of it until it has been paid. The applications are wholly ex parte, and the probate judge often has no means of testing the bona fides of the claimant.

#### REPORTS OF AUDITOR AND TREASURER.

The reports of these officers give full details of the amount and nature of receipts and disbursements. The treasurer has been faithful and prompt in the discharge of his duties, and has given hearty co-operation in all my efforts to keep the treasury in funds. The auditor has been vigilant, industrious and fearless in the performance of his duties. His reports contains many valuable



recommendations, concerning the better collection of the revenues, and upon other kindred subjects, which I am sure you will not overlook in framing revenue measures.

#### SALE OF SWAMP AND OVERFLOWED LANDS.

Under the act approved February 14th, 1893, "To dispose of swamp and overflowed lands patented to this state," they were advertised and sold as required by law. No complaint was lodged with the Governor as to the fairness of the sales, in which contingency alone the governor was authorized to set the sales aside. The net proceeds of the sales were \$23,405.67. As these lands were being depredated upon continually and their passing into private hands would result in their being settled and improved, it was wise policy to dispose of them.

#### SCHOOL INDEMNITY LANDS.

None of the school indemnity lands certified to the state under contract with Col. John H. Caldwell have, been disposed of by sale or lease within the past two year. It was not deemed wise, in view of the financial stringency, to put any of these lands on the market.

#### ATTORNEY GENERAL.

The duties of this responsible department have been wisely and energetically discharged. The attorney-general's report is now passing through the press, and I have not had an opportunity to examine it closely. I concur in his recommendation regarding additional legislation to prevent reversals in the supreme court upon technicalities which do not touch the merits of the case or the fairness of the trial.

#### TRIBUTES.

Twice within the past two years it has been my sad duty to order the flag at half mast for officers who died in the service of the state.

On the 18th day of July, 1893, General James T

Holtzclaw, associate railroad commissioner, died. As a soldier he rendered distinguished service to the state, and in days of peace, long labored for the advancement of her good. His death, just as he was beginning a new sphere of usefulness, was a severe loss to public service.

Chief Justice George W. Stone departed this life on the 11th of March, 1894. There have been few in any age who have more aided than he to build up justice, or moulded for the better the jurisprudence of the people among whom he lived, or who has left a deeper trace in his career of everything which a conscientious judge ought to propose for his ambition, or his virtue or his glory. His illustrious career, whether measured by the extraordinary length of service, or the marked ability with which he disposed of new and perplexing questions, has few parallels in the history of the English peoples ; for during fifty years he expounded the law in times of passion and war, and amid the changing scenes of revolution , as well as in the calmer days of peace. No man ever lived in Alabama who did her more honor, and none ever died within her borders, whose death was a greater calamity.

#### CONCLUSION.

The past two years have not been seasons of prosperity. Abundant harvests have brought scant rewards. Industry and enterprise, in all their varied forms, have returned but little profit. Many of our people are profoundly discouraged. These things you will not overlook in devising measures for their welfare, neither will you forget that a people's confidence in their own resources and ability to master present ills, is, at last, the surest hope of future prosperity.

What confidence will we or others have in the future of Alabama, if, yielding to temporary depression, it now shrivels any of the functions of good government, rather than submit to increased burdens, not as great as those cheerfully borne by this people, under far worse conditions, a little more than a decade ago. What will be our advancement if the public schools be crippled, the public faith unkept, or our state denied adequate means to ad-

minister, justice, protect life and property, enforce the law, and discharge the numberless tasks, which enlightened statesmanship demands governments to undertake, in the interest and happiness of the people? If all these duties are not performed in full measure, disaster, discontent and suffering are sure to follow.

Our natural resources are almost boundless, and a state, which is worthy of them will speedily work out greater prosperity if we do not block the way and fetter the future by unwise legislation, born of discouragement and a stunted trust in the wisdom and patriotism of the people.

Whatever I may do to lighten or aid your labors will be my care, during the brief term of service which remains to me, and I invoke upon your deliberations they blessing and aid of Him without whose favor man's government can not wisely rule.

THOS. G. JONES.

The above message was considered and read at length.

On motion of Mr. John one thousand copies of said message were ordered printed.

#### PAGES AND MESSENGER.

The speaker appointed as pages, Michael Screws, James Wood and Jack Turner, and as messenger, Herbert Rankin.

#### INTRODUCTION OF BILLS.

The following bill was introduced; read the first time and referred to a special committee consisting of the members from Dallas, to-wit:

By Mr. Graham-

H. 1. -To confirm and amend the charter of the Selma Fair & Driving Association, and to give the mayor and police of Selma authority to preserve order on the grounds thereof;

The house adjourned until to-morrow at 10 o'clock.

THIRD DAY.

HOUSE OF REPRESENTATIVES,

THURSDAY, November 15th, 1894.

The house-met pursuant to. adjournment.  
Prayer by Rev. Mr. Howell of Calhoun.  
A quorum was present.  
The journal of yesterday was read and approved.

DOOR-KEEPER OF THE GALLERY.

The speaker appointed Mr. W. H. Mangham of Lee as door-keeper for the gallery.

COMMUNICATION FROM THE GOVERNOR.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,

OFFICE OF THE GOVERNOR,

MONTGOMERY, November 14th, 1894.

Hon. Thos. H. Clark, Speaker of the House:

Dear Sir:—I have the honor to herewith transmit a gavel, made of Alabama walnut and cedar by the students in the manual training department of the Agricultural & Mechanical College. They desire that it be presented to you for the use of yourself and successors in your high office.

May this gavel never fall into hand less worthy than yours, and may it always be a reminder to the House that the youth of the land watch their labors with solicitude and hopeful pride.

THOS. G. JONES.

INTRODUCTION OF BILLS.

On a call of the counties bills were introduced, severally read one time and referred to appropriate committees, when raised, as follows :

By Mr. Moore—

H. 2. To extend the time for the construction of the harbor and railroad of the Birmingham, Mobile and Navy Cove Harbor Railroad Company.

Corporations ;

By Mr. Fuller—

H. 3. To repeal an act, entitled an act to regulate the trial of misdemeanors in the county of Bibb and to provide for the disposition of certain cases now pending in the county court of Bibb county and to abolish the county court of Bibb county,

Judiciary;

By Mr. Fuller—

H. 4. To require all fines and forfeitures imposed by any of the courts of Bibb county to be paid in good and lawful money,

Local legislation ;

By Mr. Williams—

H. 5. To repeal section four of an act to regulate and prescribe the manner of electing county commissioners of Pike, Bullock, Washington, Baldwin, Butler, Choc-taw, Fayette, Shelby, DeKalb and Pickens counties, approved January 30th, 1893,

Local legislation;

By M. Williams—

H. 6. To change the name of Jane Vandalia Hodge to that of Jane Vandalia Harp and confer upon her the rights of a femme sole,

Local legislation ;

By Mr. Calhoun—

H. 7. To preserve game animals and birds in the counties of Washington and Clarke,

Local legislation;

By Mr. Grant—

H. 8. To amend section 991 of the code as to the county of Clarke,

Education;

Also,

H. 9. To give to owners of lands or their assignees a lien for the stipulated price or value commonly known as stumpage of timber sold from said lands, and to provide for the enforcement thereof,

Judiciary;

Also,

H . 10. To regulate the landing of goods by steam-boats, vessels and other water craft,

Local legislation;

Also—

H. 11. To amend section 997 of the code as to the county of Clarke,

Education;

By Mr. Rand—

H. 12. To amend section 1869 of the code of Alabama,

Judiciary;

By Mr. Banks—

H . 13. To authorize the sureties of R. A. Tompkins, ex-tax collector of Franklin county, to collect the unpaid taxes for the year 1892,

Judiciary,

By Mr. Knight—

H . 14. To repeal section 48 and to amend sections 54 and 61 of an act approved February 14th, 1892, entitled an act to create a new convict system for the state of Alabama, and to provide for the government, discipline and maintenance of all convicts in the state of Alabama, and to further provide for the working of the convicts of the state for the best financial interest of the state,

Penitentiary and criminal administration ;

By Mr. O'Brien—

H. 15. To further regulate and provide for compensation to registrars in the state of Alabama,

Privileges and elections;

Also,

H. 16. To amend section 1891 of the code of 1886,

Judiciary;

Also,

H. 17. To amend section 3875 of the code of Alabama of 1886 relating to trespasses on lands by cutting down trees, etc., etc.,

Judiciary;

By Mr. Montgomery—

H. 18. To amend section 7 of an act approved 27th February, 1889, entitled an act to establish a charter for the town of Avondale, Jefferson county,

Corporations;

By Mr. Lipscomb—

H.19. To allow the constable of Bessemer beat number 33 in Jefferson county, and the constable, of Birmingham beat number 37 in Jefferson county, and the constable of Parson beat number 3 in Jefferson county to appoint deputies,

Judiciary;

Also—

H . 20. To authorize and empower the mayor and board of aldermen of the city of Bessemer, to issue bonds of said city, for an amount not exceeding one hundred and twenty-five thousand dollars, for the purpose of purchasing a system of water works for said city,

Corporations;

By Mr. Kennedy—

H. 21. To incorporate the Bailey Springs University for the higher education of women,

Education;

By Mr. Ott—

H. 22. To exempt school trustees from poll tax and road duty,

Judiciary;

By Mr. Whitten—

H. 23. To provide for the election of county superintendent of education of Lowndes county,

Local legislation ;

By Mr. Fletcher—

H. 24. To authorize Madison county to purchase the macadamized roads belonging to the Madison Turnpike Company, and to issue bonds of said county to aid in the purchase of the same,

Local legislation;

By Mr. Meador—

H. 26. To amend an act entitled an act to amend an act to establish a new charter for the city of Demopolis, approved March 28th, 1873, so as to authorize the mayor and council of the city of Demopolis to adopt and establish an official map of the city of Demopolis,

Local legislation;

Also,

H. 26. To authorize the mayor and councilmen of the

city of Demopolis to issue bonds of the city of Demopolis for an amount not exceeding fifteen thousand dollars bearing not more than six per cent. interest per annum payable semi-annually for the purpose of erecting and establishing water works for said city,

Local legislation;

By Mr. Brooks—

H. 27. To provide for the working and and improvement of the public roads in Mobile county by contract, and to further regulate the working of the roads in said county,

Public roads and highways ;

Also,

H. 28. To regulate primary elections in the county and city of Mobile,

Special committee consisting of members from Mobile;

Also,

H. 29. To regulate the administration of general assignments for the benefit of creditors,

Judiciary;

Also,

H. 30. To amend an act entitled an act to provide for publication and proceedings against defendants whose names are unknown in proceedings for partition, approved February 18, 1893,

Judiciary;

Also,

H. 31. To regulate the sales of goods, wares, merchandise and other personal property, advertised as bankrupt, insolvent, insurance, assignee, trustee, testator, executor, administrator, receiver, auction, syndicate, railroad or other wreck, wholesale or manufacturers or closing out sale, or goods damaged by smoke, fire, water or otherwise, and to provide for a license fee for such sales from such vendors,

Also,

H . 32. To amend section 4022 of the code of Alabama,

Judiciary;

Also,

H. 33. To provide for the admission of written instruments in evidence in the courts in this state, in certain cases,



Judiciary;

Also,

H. 34. To amend section 1750 of the code of Alabama,

Judiciary;

Also,

H. 35. To amend section 1913 of the code of Alabama,

Judiciary;

Also,

H. 36. To amend section 3789 of the code of Alabama,

Judiciary;

Also,

H. 37. To define and punish petit larceny from dwelling-house, store-house, shop, warehouse, railroad car, steamboat, ship, vessel, or boat used for carrying freight or passengers,

Judiciary ;

By Mr. Screws—

H. 38. To regulate costs in justices courts in Montgomery county,

Judiciary ;

Also,

H. 39. To repeal section 82 of an act entitled an act to establish a new charter for the city of Montgomery, approved February 10, 1893,

Corporations ;

Also,

H. J. R. 40. Relating to the American Protective Association,

Judiciary ;

By Mr. Kyle—

H. 41. To regulate the issue of garnishments, and the proceedings thereon in the county of Morgan,

Judiciary ;

H. 42. To incorporate the "Independent Brothers of Love,"

Corporations;

By Mr. Fleming—

H. 43. To amend section 4330 of the criminal code,

Judiciary;

By Mr. Cameron—

H. 44. To amend section 11 of an act entitled an act to further regulate elections in the State of Alabama, approved February 21st, 1893,

Privileges and Elections;

By Mr. Camp—

H. 45. Providing for the payment of the costs in certain cases where defendants were convicted of felonies, in the city court of Talladega, and after serving part of their respective terms in the penitentiary were released,

Privileges and Elections ;

By Mr. Mayfield (by request)—

H. 46 To provide for the compensation of the county solicitor of Tuscaloosa county,

Local legislation ;

Also (by request)—

H. 47. To provide for the payment of claims against the fine and forfeiture fund of Tuscaloosa county,

Local legislation ;

By Mr. Patton—

H. 48. For the relief of J. P. Park, ex-tax assessor of Tuscaloosa, Alabama,

Local legislation;

By Mr. Turner—

H. 49. To repeal an act entitled an act to authorize the sheriff of Washington county by virtue of his office to collect the state and county taxes thereof, and to perform generally all the duties required by law of the tax collector, approved February 10th, 1875,

Local legislation;

By Mr. Ford—

H. 50. To regulate and prescribe the manner of electing county commissioners in Winston county,

Privileges and elections;

By Mr. Rogers—

H. 51. To increase the powers of probate judges of Alabama,

Judiciary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Nov. 15, 1894.

Mr. Speaker:

The senate has adopted a joint resolution herewith sent raising a joint committee to investigate and report

to the general assembly the condition of the two and! three per cent fund.

Committee on part of the senate—Messrs. Kilpatrick and Milner.

And has also adopted a joint resolution herewith sent raising a joint committee to invite the clergy of the city of Montgomery to open the morning sessions of the general assembly with prayer.

Committee on part of the senate—Messrs. Culver, Moody and Sayre.

W. L. CLAY,  
Secretary.

The joint resolutions mentioned in the above message were read and referred to the committee on rules.

#### RESOLUTIONS.

The following resolution was offered by Mr. Whitten, the rules were suspended, and the resolution adopted :

Resolved, That the door-keeper obtain from the secretary of state, for each member of the house, a copy of the acts of the legislature of 1892-93, for their use during the session of the legislature, and it shall be the duty of the door-keeper to return the acts after the final adjournment of the legislature.

#### BILLS ON SECOND READING.

The following bill, which was reported favorably from the special committee to which it had been referred, was read a second time and placed on the calendar:

H.1. To confirm and amend the charter of the Selma Fair & Driving Association, and to give the mayor and police of Selma authority to preserve order on title-grounds thereof.

#### ADJOURNMENT.

The house adjourned till to-morrow at 10 o'clock-

## FOURTH DAY.

## HOUSE OF REPRESENTATIVES,

November 16, 1894.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Howell, of Cleburne.

Present,

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fulton, Gains, Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, Holt, Jackson, Jinks, Kelly, Kennedy, Killibrew, Knight, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rabb, Rand, Reaves, Robbins, Robinson, Rogers, Rowton, Sanford, Savage, Scarbrough, Seale, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry—88.

The journal of yesterday was read and approved.

## INTRODUCTION OF BILLS.

The following bills were introduced, read one time and referred to appropriate committees as follows :

By Mr. Bellinger—

H. 52. To renumber each forty acres of land in Alabama and to make legal conveyance of land in Alabama by giving the number of lots in such conveyance,

Revision of laws;

By Mr. Jinks—

H. 53. To repeal an act approved February 21, 1893, entitled an act to regulate the trial of certain misdemeanors committed in Bullock county,

Judiciary;

By Mr. Smith (of Butler county)—

H. 64. To require the clerk of the circuit court of Butler county to perform the duties of clerk of the county court of said county, and fixing his fees for such services,

Revision of laws ;

By Mr. Scarborough—

H. 55. To amend subdivision 5 of section 699 of the code,

Judiciary;

Also,

H. 56. To regulate and prescribe the manner of electing county commissioners of Calhoun county,

Local legislation ;

Also,

H. 57. To amend section 1810 of the code,

Judiciary;

By Mr. Kelly—

H. 58. To regulate sales of personal property,

Judiciary;

By Mr. Kelly—

H. 59. To amend sections 3471 and 3472 of the code, and rule 52 of chancery practice,

Judiciary;

By Mr. Grant—

H. 60. For the relief of M. P. Johnson, of Washington county,

Local legislation;

By Mr. Calhoun—

H. 61. To amend an act entitled an act to better provide for the indigent poor people of Clarke county, approved December 12, 1892,

Local legislation;

By Mr. Grant—

H. 62. To prevent the publishing, selling, offering to sell or otherwise disposing of books, pamphlets or tracts containing a history of any man popularly known as an outlaw,

Education;

By Mr. Rand—

H. 63. To amend section one of an act entitled an act to incorporate the male and female academy located in

the town of Leighton, Lawrence county, Alabama, approved February 28, 1889,

Education;

By Mr. Killebrew—

H. 64. To require common carriers over which freight has been shipped and has been lost, damaged or destroyed to furnish to the shipper, consignee or their assigns within thirty days after application, the necessary information to establish upon which line or connecting line of common carriers said loss, damage or destruction occurred, and in default, to render the carrier to which application was made liable for said loss, damage or destruction and for other purposes,

Commerce and common carriers ;

By Mr. Beeson—

H. 65. To repeal an act to prevent the compelling of women and children or permitting of children under fourteen years of age to labor in a mechanical or manufacturing business more than eight hours in any day, approved February 28, 1887, so far as the same relates to Etowah county,

Mining and manufacturing;

By Mr. Knight—

H. 66. To fix the degree, and prescribe the punishment for certain cases of arson,

Judiciary;

By Mr. Maples—

H. 67. To amend section 4196 of the code of Alabama,

Revision of laws ;

By Mr. O'Brien—

H. 68. To provide for the disposition of a portion of the wages of all convicts who have families dependent upon them for support,

Mining and manufacturing;

By Mr. O'Brien—

H. 69. To amend section (320) three hundred and twenty of the code of 1886,

Privileges and elections;

By Mr. Lipscomb—

H. 70. To amend section 18, sub-division 5 of an act to establish a new charter of Bessemer, Alabama, approved February 21st, 1893,

Corporations;

By Mr. O'Brien—

H. 71. To amend section 3763 of the criminal code of 1886,

Revision of laws;

By Mr. Fulton—

H. 72. To incorporate the Presbytery of North Alabama, Corporations;

By Mr. Lipscomb—

H. 73. To confer upon the mayor of the city of Anniston, Alabama, the powers and jurisdiction of a justice of the peace in the corporate limits and police jurisdiction of said city,

Revision of laws;

By Mr. Fulton—

H. 74. To provide for the making and maintaining the public roads and bridges in Jefferson county, Alabama, Public roads and highways ;

By Mr. Montgomery—

H. 75. To define the territorial jurisdiction of justices of the peace and notaries public ex-officio justice of the peace of the several precincts in Jefferson county, and the notaries public ex-officio justices of the peace appointed for the several wards of the city of Birmingham,

Revision of laws;

By Mr. Montgomery—

H.76. To amend section 2611 of the code of Alabama relating to defendant in detinue, requiring adverse claimant to come in and defend,

Judiciary;

By Mr. Montgomery—

H . 77. To provide for the election of the superintendent of education of Jefferson county by the vote of the people, and to provide the length of the term of office of the superintendent to be appointed in said county in October, 1895,

Education;

By Mr. Montgomery—

H. 78. To alter and amend the law relating to the territorial jurisdiction and pay of justices of the peace and notaries public ex-officio justices of the peace in precincts 21 and 37 in Jefferson county, and the several wards of the city of Birmingham, and to provide a punishment for the violation hereof,

Revision of laws;

By Mr. Ott—

H. 79. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters at or within two miles of the town of Sulligent, county of Lamar,

Temperance;

By Mr. Ott—

H. 80. To divide all beats and precincts having more than one voting place and make separate beats of each voting place and provide for the same so far as the same pertains to Lauderdale county,

Local legislation ;

By Mr. Whitten—

H. 81. To provide for the registration and lien of judgments rendered by justices of the peace and notaries public ex-officio justices of the peace for the payment of money,

Judiciary;

Also,

H. 82. To establish a board of revenue for Lowndes county and define the powers and duties of said board of revenue,

Local legislation;

Also,

H. 83. To repeal an act entitled an act to fix the compensation for recording registration and copying in the probate offices of Lowndes, St. Clair, Etowah, Blount and Pullman so far as the same relates to the county of Lowndes,

Revision of laws;

Also,

H. 84. To amend section 4331 of the code of 1886.

Revision of laws;

By Mr. Holt, (by request)—

H. 85. To authorize the chancellor, judge or register to require the complainant to give bond before a receiver is appointed,

Judiciary ;

Also, (by request,)

H. 86. To require the production of books and writings in actions at law,

Judiciary;



Also, (by request,)

H. 87. To regulate exceptions to the giving or refusal of charges-asked in writing,

Judiciary;

Also, (by request,)

H. 88. To define the matrimonial domicil of the husband and wife in respect to suits for divorce and to limit divorces to cases in favor of persons having a matrimonial domicil, and to cases against persons having an actual domicil where the divorce is granted,

Judiciary;

By Mr. Rowe—

H. 89. To prohibit the sale, giving away or otherwise disposing of any alcoholic, vinous or malt liquors or other intoxicating drinks or beverages within four miles of the Methodist Episcopal Church South in Triana and the Methodist Episcopal Church South known as Wilsoa Chapel and the Methodist Episcopal church known as New Center Grove, all situated in Madison county, Alabama,

Temperance;

By Mr. Coleman--

H. 90. To regulate the fine and forfeiture fund of Marshall county,

Local legislation;

By Mr. Smith of Mobile—

H. 91. To amend an act entitled an act to incorporate the Mobile Gas Light and Coke Company, approved February 23d, 1866,

Corporations;

Also,

H. 92. To legalize the registration of deeds of conveyance which have been filed and recorded in the office of the judge of probate of the proper county in this state before the passage of this act but not within the time required by law,

Judiciary;

Also,

H. 93. To establish a state board of embalming to provide for the better protection of life and health, to prevent the spread of contagious diseases and to regulate the practice of embalming and the care and disposition of the dead,

Public health;

By Mr. Robinson—

H. 94. To amend an act to provide for the appointment of an official stenographer for the circuit and chancery courts in the county of Mobile and the city court of the city of Mobile and to define his duties and regulate his compensation, approved February 12th, 1879,

Local legislation;

Also,

H. 95. To provide for the entry of payment of the purchase money recited in conveyances of property on the margin of the record of such conveyances,

Revision of laws ;

Also,

H. 96. To amend section 3588 of the Code,

Revision of laws;

By Mr. Mahan—

H. 97. To repeal an act entitled an act to provide for the more efficient working, keeping up, repairing and improving the public roads and bridges and opening and making new roads and bridges in the county of Morgan, to locate and construct and build within the limits of said county a system of public roads and bridges of a superior grade to be known and designated as "county roads,"

Public roads and highways ;

By Mr. Barron—

H. 98. To prevent the sale, exchange and buying of seed cotton in Perry county and of cotton produced in said count,

Local legislation;

By Mr. Curtis—

H. 99. To repeal an act entitled an act to more effectually secure competent and well qualified jurors in the several counties of this state, approved February 28, 1887, and the acts amendatory thereof, so far as applicable to the county of Pike,

Revision of laws;

By Mr. Forman—

H. 100. To incorporate the Coosa river singing association,

Corporations ;

By Mr. Mayfield—

H. 101. To provide for the service of legal process on domestic corporations having no officer or agent within the state on whom process can be served,

Judiciary;

By Mr. Turner—

H. 102. To prevent jumping from moving railroad trains in this state,

Commerce and common carriers ;

By Mr. Knight, (by request)—

H. 103. To amend an act entitled an act to incorporate the Alabama Baptist" Colored Normal and Theological School and all amendments thereto,

Corporations.

#### RESOLUTIONS.

Mr. Boykin offered the following resolution which was referred to the committee on rules :

Resolved by the house, the senate concurring, That the house and senate meet in joint session on Saturday November the 17th, 1894, at 11 o'clock a. m., for the purpose of ascertaining and proclaiming the result of the election held in this state on the first Monday in August, 1894, as required by section 394 of the Code.

On motion of Mr. Screws H. 38 was recalled from the judiciary committee and referred to a special committee consisting of the Montgomery county delegation.

#### REPORT OF COMMITTEE ON RULES.

Mr. Brooks from the committee on rules submitted the following report:

#### RULES.

RULE 1. The speaker shall take the chair every day at the hour fixed on the preceding adjournment; shall immediately call the members to order, and on the appearance of a quorum, cause the journal of the preceding day to be read.

2. He shall preserve order and decorum; may speak to points of order in preference to other members, rising

from his chair for that purpose. He shall decide questions of order, subject to an appeal to the house, at the request of any member; which appeal shall be decided without debate.

3. He shall rise to put a question, but may state it sitting. All questions shall be distinctly put in this form, viz : "Those in favor of (as the question maybe) say aye," and after the affirmative voice is expressed,, "Those opposed to the motion say No." If the speaker doubts, or a division is called for, the house shall divide. Those in the affirmative of the question shall rise from their seats ; and afterwards those in the negative.

4. He shall have a right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment. Whenever he is sick, or otherwise providentially unable to attend, or necessarily absent, the house shall elect a speaker pro tern, who shall discharge the duties of speaker till his return and no longer.

5. Fifteen members shall have power to send for absent members or to move a call of the house ; but no call of the house shall be made except on the concurrence of a majority of the members present. A majority of the house shall be a quorum to transact business.

6. When any member is about to speak or deliver any matter to the house, he shall rise from his seat and respectfully address himself to the speaker.

7. If any member, in speaking or otherwise, transgress the rules, the speaker shall, or any member may, call him to order; in which case the member so called to order shall immediately sit down, unless permitted to explain; and the house shall, if appealed to, decide on the case without debate. If the decision be in favor of the member so called to order, he shall be at liberty to proceed ; if otherwise, and the case require it, he shall be liable to the censure of the house.

8. When two or more members happen to rise at the same time, the speaker shall name the person who is first to speak.

9. No member shall speak more than twice to the same question without leave of the house, unless he be the mover or chairman of the committee proposing the matter pending, in which case he shall be permitted to

speaking in reply, but not until every member choosing to speak shall have spoken.

10. Upon the call of the house for taking the ayes and noes on any question, names of the members shall be called alphabetically, and each member shall answer from his seat.

11. When any question is taken by ayes and noes, and a member who has been absent returns before the question is decided, he shall be privileged to make inquiry of the subject before the house, and record his vote without discussion.

12. When a motion is made, it shall be stated by the speaker; or if in writing, shall be read aloud by the clerk; and every motion shall be reduced to writing if the speaker or any member request it.

13. Any member may call for a division of the question when the sense will admit of it.

14. Members shall particularly forbear personal reflections; nor shall any member name another in argument or debate.

15. After a motion is stated by the speaker, or read by the clerk, it shall be deemed in possession of the house, but may be withdrawn by leave of the house, at any time before decision.

16. When a question is before the house, motions, maybe received in the following order, to-wit: 1st. To fix the time to which the house shall adjourn. 2d. To adjourn. 3d. To lay on the table. 4th. For the previous question. 5th. To postpone to a certain day, not beyond the probable duration of the session. 6th. To commit. 7th. To amend. 8th. To indefinitely postpone.

17. A motion to adjourn shall always be in order, even in the absence of a quorum.

18. When a vote has passed, except on the previous question, or on motion to lay on the table, or to take from the table, it shall be in order for any member who voted with the majority to move for a reconsideration thereof on the same day, or within one hour after reading the journal on the succeeding day, and such motion, if made on the same day, shall be placed first on the orders of the day, for the day succeeding that on which it is made; unless the mover desires present consideration; but if first moved on such succeeding day, it shall

be forthwith considered; and when a motion for reconsideration is decided, that decision shall not be reconsidered, and no question be twice reconsidered. Provided, however, that a motion to reconsider a vote, upon any incidental or subsidiary, question, shall not remove the main subject under consideration from the house, but shall be considered at the time when it is made.

19. No bill or joint resolution of this house shall be sent to the senate (unless by special order of the house,) until the time allowed for the last preceding rule for reconsideration shall have passed.

20. The previous question shall be in the following form : "Shall the main question be now put ?" If demanded by a vote of a majority of the members present, its effect shall be to cut off all debate and bring the house to a direct vote, first upon the pending amendments, if there are any, in their order, and then on the main question, but the mover of the question, or the chairman of the committee having charge of the bill or resolution, shall have the right to close the debate, after the call of the previous question has been sustained, for not more than fifteen minutes.

21. The speaker shall appoint all committees unless otherwise directed by the house : Provided, however, a majority of each committee shall constitute a quorum. And the following shall constitute the standing committees of the house, to be composed of thirteen members each :

1. Judiciary;
2. Revision of laws ;
3. Ways and means ;
4. Education;
5. Privileges and elections ;
6. Agriculture;
7. Banking and insurance ;

The following to be composed of eleven members each;

8. Commerce and common carriers;
9. Penitentiary and criminal administration ;
10. Mining and manufacturing ;
11. Appropriations;
12. Corporations;
13. Temperance;
14. Public health;
15. Counties and county boundaries ;

## 16. Local legislation.

The following composed of seven members each :

17. Public roads and highways ;

18. Federal relations ;

19. Public buildings and institutions;

20. Military;

21. Claims and fees ;

22. Public printing.

The following composed of five members each :

23. Engrossed bills ;

24. Enrolled bills;

25. Rules, of which the speaker shall be chairman, and which committee shall have the right to report at any time.

22. The following committees shall be entitled to clerks to be appointed by their respective chairmen :

Judiciary ; ways and means ; privilege and elections and local legislation : Provided that the clerk of the ways and means committee shall also be the clerk of the appropriation committee, when not otherwise engaged ; and the clerk of the privileges and elections committee shall also serve the committees on education, and penitentiary and criminal administration, when not otherwise engaged ; and the clerk of the committee on local legislation shall serve the committee on corporations when not otherwise engaged.

23. All resolutions before they are voted on shall be referred to and reported from the committee on rules.

24. In the appointment of a committee to visit any public institution of the State, no representative who is a resident of an adjoining county, shall be appointed on such committee.

25. Every member may be required to vote on any question before the house. When the ayes and noes are desired, the speaker shall be first called, and if the house be equally divided, the question shall be lost.

26. No member shall absent himself from the session of the house, unless he have leave, be sick, or unable to attend.

27. The following shall be the order of business in the house:

1. Reading of the journal of preceding day.

2. Reports of committees on engrossed and enrolled bills, but these committees may report at any time.

3. Senate messages; provided that whenever any message is received, notifying the house of the passage of senate bills, the clerk shall, immediately after the passage is read, proceed to read the bills by their title, (unless the reading be called for by some member, in which event the bill shall be read at length), and referred forthwith to a committee. The house shall then proceed with the business upon which it was engaged when the message was received.

4. The unfinished business in which the house was engaged at its last adjournment.

5. The call of counties in alphabetical order for bills, resolutions, memorials and petitions. If in any one day the call has not been completed by the hour of 12 M., the speaker shall begin on the next day, where he left off the preceding day.

When the hour of 12 M. arrives, or before that hour, if the call of the counties has been completed, business shall proceed in the following order :

1. Reports of standing committees, for bills which they have reported favorably which shall be forthwith read by their titles a second time and entered on the calendar in the order in which they were read a second time. In the call of committees the speaker shall call them in their order. If the speaker should not get through the call of committees before the house passes to other business, he shall resume next call where he left off.

2. Executive messages shall have priority over other business, and as soon as received they shall be read by the clerk, and a proper disposition be made of them ; and the house shall thereupon proceed with the business engaged in when interrupted by the executive message.

3. If there are any bills on the calendar they shall be taken up at 1 p. M. on each day, unless reached earlier, and no bill on the calendar shall be taken up out of its-order, except by a vote of two-thirds of the members.

4. Miscellaneous business.

28. The house may, by a vote of two-thirds of the members present, suspend the consideration of any regular or special order, for the purpose of taking up an-



other matter, and when that is disposed of, the consideration of the suspended order shall be resumed.

29. Any matter may, by a vote of the majority of the members present, be made the special order for any hour, which shall take the precedence, at that hour, of any other business except a motion to reconsider.

30. When a committee, has decided adversely to any bill or resolution, such action shall not be reported to the house, but such bills shall forthwith be returned to the clerk, who shall note the unfavorable report on the docket or register of bills. Any member may call for any such bill under adverse report when the same may, by leave of the house, be read by its title a second time, and placed on the calendar. Such call shall only be in order on any day, immediately after the call of the standing committee which acted on said bill.

31. Upon the introduction of any bill, or when senate bills are first acted on, the same shall be read by its title, unless the reading be called for by some member when it shall be read at length, and upon such reading at length, or by its title, the bill so read shall be referred to a committee without a vote being taken, unless objected to, and in that event the question of reference shall be put to the house; and no bill shall be ordered to a second reading till reported back from a committee.

32. Bills, motions and reports may be committed or recommitted at the pleasure of the house.

33. Every bill shall, on its first reading, be committed to a standing committee, a select committee, or committee of the whole house ; but commitment to one shall not preclude the commitment to either of the others, and on recommitment shall be open to amendment.

34. No special committee shall report but upon leave granted by a vote of the house, except committees of inquiry, which may report at any time.

35. All bills shall be dispatched in order as they are introduced, unless when the house otherwise direct.

39. When a bill shall pass it shall be certified by the clerk, noting the date of its passage at the foot thereof.

37. The house may resolve itself into a committee of the whole when deemed necessary ; and the rules of proceeding in the house shall be observed in committees, as

far as may be applicable, except that number of times of speaking and putting the previous question, shall not be applicable in committee.

38. In forming a committee of the whole house, the speaker shall leave his chair, and a chairman to preside in committee shall be appointed by the speaker.

39. Upon a bill being committed to a committee of the whole house, the same shall be first read throughout by the clerk, and then again be read and debated by clauses, leaving the preamble to be the last considered. After the report the bill shall be again subject to debate and amendment by clauses, before the question of engrossing be taken.

40. On all questions of filling blanks, the largest sum and most remote day shall first be put.

41. Whenever it shall be necessary for a communication to be made from the house of representatives to the senate, it shall be under the signature of the clerk.

42. No committee shall sit during the sitting of the house without special leave.

43. No bill or joint resolution shall be received, unless written on an entire sheet of paper, with the caption endorsed.

44. After a vote has been ordered upon any question no member shall be permitted to explain his vote without leave of the house.

45. When House bills are signed by the Speaker, thereupon the Clerk must, by message, notify the Senate and request the signature of the President of the Senate to said bills.

46. The name of a member who introduces a bill or joint resolution shall be by him endorsed upon the same, and shall be inscribed by the clerk upon the engrossed and enrolled copies when transmitted to the Senate or the Governor.

47. In appointing a committee from the several subdivisions of the State, the Speaker shall designate who shall be Chairman of such committee.

48. No person shall be allowed to smoke within the House, lobby or gallery.

49. All bills for amendment to any section or part of the Code, in which the subject-matter is stated in the

title by reference to the section or other sub-division of the Code, must contain on the back of the bill, immediately below the title, a brief statement of the general subject to which such section or sub-division relates.

50. The speaker, shall, whenever he deems it necessary for the speedy dispatch of business, order the Calendar printed for the use of members.

51. When the Chairman of a committee is sick or absent, the member whose name appears second on the committee shall, during the absence of the Chairman become Chairman, and have power to call together the committee for consideration of bills.

52. None of the foregoing rules shall be rescinded,, without one day's notice of the motion thereof being given; and a violation of either of them may be punished by such censure as a majority of the House may direct.

53. The tabling of an amendment or subsidiary motion, shall not have the effect of carrying with it the original bill or proposition.

54. That the rules of the House shall not be suspended, except by a four-fifth's vote of every member present, provided a. quorum must vote.

55. No member shall speak more than twice to any question, nor more than ten minutes at any time, except that the mover of a question, or the chairman of a committee proposing the question, may speak in reply for not more than ten minutes, after all desiring to speak shall have spoken.

56. When a bill is reported favorably to the House, and a minority report accompanies the favorable report, the minority report shall be considered an amendment, and the bill shall be read a second time ; and said bill and minority report shall be placed on the Calendar and be considered on the third reading of the bill.

57. The lobby or floor of the House shall be kept clear of all persons who are not entitled to the freedom thereof; and the persons entitled to such freedom of the hall shall be as follows, viz: (1) All the members of the Senate as well as the officials of that body while acting in their service ; (2) All former members of either house of the General Assembly; (3) All judges of

courts of record in this State ; (4) All members of Congress from this State; (5) All State officers as well as their clerks when such clerks are sent by their principals to the hall or who are requested to be therein by some member of the House ; (6) All persons bona fide in newspaper service ; (7) Such other persons as may from time to time be invited to the freedom of the floor by motion of the House. And it shall be the duty of the door-keeper and his assistants to enforce this rule under all circumstances.

Mr. Rabb offered the following amendment to rule 30 :

When a committee has decided adversely to any bill or resolution, such action being reported to the house, said bill or resolution together with the report of the committee, shall forthwith be turned over to the clerk who shall note the unfavorable report on the docket or register of bills. Any member may call for any such bill under adverse report when the same may by leave of the house be read by its title a second time and placed on the calendar. Such call shall only be in order on any day immediately after the call of the standing committee which acted on said bill.

Mr. Knight moved the previous question which was sustained, and Mr. Rabb's amendment was adopted, and the report of the committee on rules as amended was adopted.

On motion of Mr. Whitten 250 copies of the rules were ordered printed for the use of the house.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

November 16, 1894.

Mr. Speaker:

The president of the senate has appointed as the committee on the part of the senate to examine the offices of auditor and treasurer, under section 34 of the code of Alabama, Messrs. Brewer, Cunningham and Goodwyn;

And has adopted a joint resolution herewith sent pro-

viding for a joint convention of the two houses of the general assembly on Nov. 17th, 1894, at 12 o'clock, M., for the purpose of counting and proclaiming the result of the election held in this State on the first Monday in August, 1894.

W.L.CLAY,  
Secretary.

#### SENATE MESSAGE.

On motion of Mr. Rabb, the house concurred in the senate joint resolution providing for a joint convention of the two houses for the purpose above set forth.

#### BILLS ON THIRD READING.

H. 1. To confirm and amend the charter of the Selma Fair and Driving Association, and to give the mayor and police of Selma authority to preserve order on the grounds thereof,

Was read a third time at length and passed.

Yeas 88, nays 0.

Yeas—Messrs. Speaker, Banks, Barren, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fleming, Fletcher, Ford, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Harris, Hearn, Hill, Holt, Jackson, John, Kelly, Kennedy, Killibrew, Knight, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Meador, Mahan, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robinson, Rogers, Rowe, Routon, Sanford, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Taylor, Tuck, Turner, Ward, Whitten, Willett, Williams of Bullock, Williams of Henry.

On motion of Mr. Graham, the bill was ordered to senate without engrossment.

Leave of absence for one day was granted to Messrs. Roykin, Routon, Jinks, Rabb, Camp and Smith of Butler.

On motion of Mr. Calhoun, the house adjourned till 10 o'clock, a. m., to-morrow.

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FIFTH DAY,

HOUSE OF REPRESENTATIVES,

November 17, 1894.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Gay, of the city.

A quorum was present.

The journal of yesterday was read and approved.

Leave of absence was granted to Messrs. Smith of Butler, and Burns for one day, and to Mr. Holt till Tuesday next.

#### ANNOUNCEMENT OF STANDING COMMITTEES.

The speaker announced the following standing committees of the house, viz:

Judiciary—Messrs. John, Willett, Smith of Autauga, Holt, Boykin, Knight, Mayfield, Davis, Robinson, Sanford, Smith of Mobile, Kelly and Jinks.

Revision of Laws—Messrs. McQueen, Rabb, Kyle, Hill, McClusky, Lipscomb, Montgomery, Whitten, McCorvey, Screws, Brooks, Maples and Jackson.

Ways and Means—Messrs. Brooks, Meador, O'Brien, Holt, Turner, Camp, Fletcher, Dale, Mayfield, Scarborough, Curtis, Harris and Manning.

Education—Messrs. Ott, Robinson, Moore, Mahan, Perry, Cameron, Patton, Cook of Wilcox, Fleming, Williams of Bullock, Jackson, Routon and Summers.

Privileges & Elections—Fletcher, Holt, John, Knight, Williams of Henry, Seale, Davis, Burns, Turner, Whitten, Harris, Ellis and Smith of Butler.

Penitentiary and Criminal Administration—Messrs. Willett, Smith of Autauga, Roach, Barron, Curtis, Scarborough, Camp, Fulton, Cook of Wilcox, Forman and Langley.

Mining and Manufacturing—Messrs. Kennedy, McQueen, Rogers. Tuck, Screws, McClusky, Prowell, Patton, Cook of Talladega, Reaves and Wheelless.

Appropriations—Messrs. Meador, Brooks, Grant, Rand, Kelly, Williams of Henry, Seale, Prowell, Brown of Conecuh, Robbins and Gains.

Corporations—Messrs. O'Brien, Kelly, Sanford, Rabb, Jinks, Brown of Russell, Maples, Moore, Manning, Coleman and Mixon.

Temperance—Messrs. Rowe, Ott, Williams of Bullock, Ward, Cook of Wilcox, Grant, Deans, Killebrew, Beasley, Banks, Meadows.

Agriculture—Messrs. Ward, Gibbons, Gewin, Roach, Rand, Tuck, Fulton, Rowe, Perry, Fuller, Bellinger, Killebrew and Cole.

Banking and Insurance—Messrs. Hill, Gewin, Calhoun, Graves, Graham, Montgomery, Dale, Rowe, Kyle, Mastin, Hearn, Ewing and Taylor.

Commerce and Common Carriers—Messrs. Boykin, Mayfield, Smith of Autauga, Lipscomb, Kennedy, Mahan, Fleming, Rogers, Forman, Franklin and Beeson.

Public Health—Messrs. Cameron, Kennedy, Smith of Greene, Barren, Smith of Mobile, Calhoun, Kyle, Ford, Smith of Butler, Mastin and Taylor.

Counties and County Boundaries—Messrs. Calhoun, Davis, Brown of Russell, Robinson, Prowell, Mahan, Jinks, Beeson, Savage, Reaves and Ford.

Local Legislation—Messrs. Graham, Smith of Mobile, Scarborough, Rand, McCorvey, Perry, Cameron, Coleman, Wheelless, Deans and Burks.

Public Roads and Highways—Messrs. Brown of Russell, Fulton, Gewin, Hill, Lipscomb, Ellis and Savage.

Federal Relations—Messrs. Knight, Roach, Patton, Rogers, Cook of Talladega, Cole and Burks.

Public Buildings and Institutions—Messrs. Dale, Maples, Ott, Seale, Brown of Conecuh, Robbins and Routon.

Military—Messrs. McCorvey, John, Graham, Sanford, McCluskey, Harris and Fielding.

Claims and Fees—Messrs. Screws, Gibbons, Ward,, Boykin, Fuller, Hearn and Franklin.

Public Printing—Messrs. Grant, Williams of Henry, Graves, Burns, Gains, Ewing and Bellinger.

Engrossed Bills—Messrs. Whitten, Burns, Williams of Bullock, Mills and Banks.

Enrolled Bills—Messrs. Montgomery, Curtis, Smith of Greene, Beasley, Fielding.

Rules—Messrs. Speaker, Brooks, Willett, Fletcher and O'Brien.

The speaker appointed Messrs. Meador, Rabb and Smith of Autauga as the committee on the part of the house to examine the offices of auditor and treasurer.

#### INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate committees, as follows:

By Mr. Williams of Bullock—

H. 104.. For the preservation of fish, game and birds in the county of Bullock,  
Local legislation;

By Mr. Kelly—

H. 105. To incorporate the Cumberland Presbyterian Seminary, at Piedmont, Alabama,  
Corporations;

By Mr. Kelly—

H. 106. To amend subdivision three of section 2801 of the code,  
Judiciary;

By Mr. Beasley—

H. 107. To repeal an act entitled an act, to regulate the pay of the judge of probate and clerk of the circuit court of Covington county, for services ex-officio, approved January 28, 1891,

Revision of laws;

By Mr. Beasley—

H. 108. To regulate the election of countp commissioners of Covington county,  
Local legislation;

By Mr. Beasley—

H. 109. To authorize the judge of probate and commissioners court of Covington county to lay off said county into four commissioners districts,

Local legislation;



By Mr. Graham—

H. 110. To repeal an act entitled an act to regulate the issue of garnishments and the proceedings thereon in the counties of Jefferson, Dallas, Calhoun, Escambia and Cleburne, approved February 21st, 1893,

Revision of laws;

By Mr. Graham—

H. 111 To amend an act entitled an act to create a lien in favor of the owners or keepers in Dale, Montgomery, Talladega, Geneva and Henry counties for the payment of their charges for keeping, boarding and pasturing stock, approved December 13, 1892,

Revision of laws ;

By Mr. Rabb (by request)—

H. 112. To amend section 2 of an act entitled an act to prevent frauds being perpetrated by directors and managing officers of corporations on the stockholders or bondholders thereof, approved December 10, 1892,

Judiciary;

By Mr. Ward—

H. 113. To establish a separate school district to be known as the Union Hill school district in Henry county,

Education;

By Mr. Maples—

H. 114. For the relief of G. W. Williams, of Jackson county,

Appropriations ;

By Mr. Maples (by request)—

H. 115. To regulate the manufacture and sale of spirituous, vinous and malt liquors in the city of Bridgeport,

Temperance ;

By Mr. Roach—

H. 116. To amend an act entitled an act to establish the city court of Bridgeport and to increase the jurisdiction thereof,

Judiciary;

By Mr. John—

H. 117. To repeal section 3807 (4387) of the code of Alabama,

Banking and insurance;

Also,

H. 118. To amend section 3610 of the code of Alabama,

Judiciary;

Also,

H. 119. To repeal an act to regulate the liens of execution in Jefferson county, Alabama,

Judiciary;

Also,

H. 120. To amend section 2 of an act to Compel the determination of claims to real estate in certain cases, and to quiet the title to the same,

Judiciary;

Also,

H. 121. To incorporate the People's Mutual Insurance Association of Alabama,

Banking and insurance ;

Also,

H. 122. To amend an act to establish the criminal court of Jefferson county, approved February 18, 1889.

Judiciary;

Also,

H. 123. To amend section four (4) and ten (10) of an act to amend an act entitled an act to expedite the trial of capital cases in Jefferson county, approved February 11th, 1891,

Judiciary;

Also,

H. 124. To amend section 1735 (2124) of the code of Alabama,

Judiciary;

Also,

H. 125. To provide for the equal distribution of the proceeds of property sold under attachment, among the attaching creditors,

Judiciary;

Also,

H. 126. To require deeds of assignment for the benefit of creditors to be filed and recorded in the office of the probate judge,

Judiciary;

Also,

H. 127. To regulate judicial proceedings in bills of discovery,

Judiciary;

By Mr. O'Brien (by request)—

H. 128. To secure more effectually competent and well qualified jurors in the county of Etowah,

Revision of laws;

By Mr. O'Brien, (by request)—

H. 129. To amend an act to establish the city court of Gadsden, approved February 18, 1891, by amending certain sections thereof,

Judiciary;

By Mr. Jackson—

H. 130. To prohibit the sale or bartering of any spirituous, vinous or malt liquors or any alcoholic bitters, cordials or beverages of any kind within three miles of Bethel church, situated in beat (4) Lee county, Alabama,

Temperance ;

By Mr. Whitten—

H. 131. To provide for the record by the vendor or his assignee of notes given for the purchase money of real property,

Revision of laws;

Also,

H. 132. To more effectually secure the satisfaction or payment of liens for rent and advances and mortgages upon certain farm products,

Judiciary;

By Mr. Fletcher—

H. 133. To amend section thirty-seven eighty-one (3781) of the criminal code of 1886, fixing penalty of arson in second degree,

Judiciary;

By Mr. Davis—

H. 134. To repeal an act entitled an act for the protection of fish in Marion county,

Local legislation;

By Mr. Davis—

H. 135. To repeal an act entitled an act to regulate the commissioners' court in Marion county,

Revision of laws;

By Mr. Sanford—

H. 136. To prohibit courts from giving the general, or affirmative charge,

Judiciary;

Also,

H. 137. Limiting the liability of partners,

Judiciary;

Also, by request,

H. 138. To incorporate the University school at Clanton, Chilton county, Alabama,

Education;

Also,

H. 139. Joint resolution raising committee to attend reception of cruiser Montgomery at Mobile,

Rules;

By Mr. Fleming—

H. 140. To authorize the mayor and councilmen of Troy to issue bonds of said city for an amount not exceeding thirty thousand dollars for the purpose of making and improving streets, establishing sewerage for said city and in paying whatever outstanding floating (not bonded) indebtedness said city may have at the passage of this act,

Local legislation;

By Mr. Forman—

H. 141. To prohibit the selling, giving away or disposing of spirituous, vinous or malt liquors, or of alcoholic bitters, cordials or beverages of any kind, in St. Clair county.

Temperance ;

By Mr. Mayfield—

H. 142. To authorize the commissioners of roads and revenue of Tuscaloosa county to levy and collect a special tax, for the purpose of erecting and maintaining public buildings and bridges for said county.

Local Legislation.

#### RESOLUTION.

Mr. Sanford offered the following joint resolution which was referred to the committee on rules and upon a favorable report was adopted :

Resolved, That a committee of six, the senate concurring, be appointed to attend and participate in the exercises of the reception of the cruiser "Montgomery" at Mobile.

Resolved further, That said committee consist of three members from the house and three from the senate.

The speaker appointed under said resolution as the committee from the house,  
Messrs. Sanford, Rogers and Robinson.

#### GOVERNOR'S MESSAGE.

November 17th, 1894.

To the Speaker of the House of Representatives:

I herewith transmit to you the sealed returns of the election held on the first Monday in August for governor, secretary of state, auditor, treasurer, superintendent of education and attorney general, which were forwarded to me for transmission to the speaker of the house of representatives.

There is one sealed return from every county except Marshall, which sends two.

THOS. G. JONES,  
Governor.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the house joint resolution raising a joint committee to investigate and report to the general assembly, the condition of the two and three per cent fund.

Committee on part of the senate, Messrs. Kilpatrick and Milner;

And has concurred in the house joint resolution raising a joint committee to wait on the clergy of the city and invite them to open the sessions daily with prayer.

Committee on the part-of the senate, Messrs. Culver and Sayre.

W. L. CLAY,  
Secretary.

November 17th, 1894.

Mr. Speaker:

I am directed by the governor to communicate to the

house messages in-writing, with accompanying documents.

J. K. JACKSON,  
Private Secretary.

OFFICE OF THE GOVERNOR,

Montgomery, Alabama, November 17th, '94.

To the General Assembly:

I transmit herewith copy of a letter from Hon. W. W. Dudfield, superintendent of the U. S. coast and geodetic survey, and of a proposed act to facilitate the survey's claim for damages which may arise thereunder.

The useful purpose which the survey will accomplish as well as comity towards the United States, will, I am sure, induce you to enact the desired legislation on the subject.

THOS. G. JONES.

UNITED STATES COAST AND GEODETIC SURVEY.

Washington, D.C., November 1st, 1894.

To His Excellency, The Governor of Alabama, Montgomery,  
Alabama:

Sir:

I have the honor to inform you that the triangulation across the state of Alabama and other surveys along the coast are being executed by the coast and geodetic survey under authority of the laws of the United States, and that in the absence of any state law the officers engaged in the work have some difficulty at times in entering upon private lands and in the settlement of small damages occasionally arising from the cutting of a few trees required in opening lines of sight, the erection of necessary signals and the permanent marking of the points determined. I have therefore respectfully to request that you will present to the legislature and recommend the passage of a law similar to that already passed in many states, giving the right of entry and defining the mode of settling the amount of damages to be paid in case of disagreement between client and the office of survey in regard to the extent of the injury which may unavoidably be committed during the progress of the work.

Herewith I enclose a copy of the proposed law which

has been made general so as to apply to all surveys made under the authority of the United States.

—signed—  
 Respectfully,  
 W. W. DUFFIELD,  
 Superintendent.

On motion the governor's message was referred to the judiciary committee.

#### JOINT CONVENTION.

The hour of 12 o'clock a. m. having arrived, the general assembly of Alabama met in the hall of the house of representatives to witness the opening of the returns, and the counting, ascertaining and proclaiming the result of the votes cast for executive officers of the state of Alabama, at the election held on the first Monday in August, A. D. 1894, being the 6th day of August, A. D. 1894.

The joint convention was called to order by the Hon. Francis L. Pettus, president of the senate, who directed the secretary of the senate to call the roll of the senate, when the following senators answered to their names :

Messrs. President, Austill, Bogart, Brewer, Browder, Culver, Cunningham, Darby Day, Goodwyn, Hawkins, Hogue, Hollis, Hundley, Kemp, Kilpatrick, McElderry, McRae, Milner, Moody, Nolen, Porter, Robinson, Sayre, Tumlin, Wharton, Williamson—27.

The speaker of the house then directed the clerk of the house to call the roll of the house of representatives, when the following representatives responded to their names:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, Jackson, Jinks, John, Kelly, Kennedy, Killibrew, Knight, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills,

Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Pro-well, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Sanford, Savage, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry—92.

The president of the senate announced that there was a quorum of the general assembly present, and that the purpose of the joint convention was to open the returns, count, ascertain and proclaim the result of the election held on the first Monday in August, 1894, being the, 6th day of August, 1894, for executive officers of the state of Alabama.

The speaker of the house of representatives then proceeded to open and publish, in the presence of both houses of the general assembly and in the presence of a majority of the members of the general assembly in joint convention assembled, the returns of the election held on the first Monday in August, 1894, for executive officers of the state of Alabama, to-wit: For governor, for secretary of state, for state auditor, for state treasurer, for attorney general and for state superintendent of education, as follows:



OFFICIAL VOTE OF ALABAMA, FOR 1894.

Counties. FOR GOVERNOR. FOR SECRETARY  
OF STATE. FOR ATTORNEY-  
GENERAL.

W. C .Oates R.F. Kolb. J. K. Jackson J.C.Fonville. W.C. Fitts. W.S. Reese, Jr.

Autauga  
Baldwin  
Barbour  
Bibb  
Blount  
Bullock  
Butler  
Calhoun  
Chambers  
Cherokee  
Chilton  
Choctaw  
Clarke  
Clay  
Cleburne  
Coffee  
Colbert  
Conecuh  
Coosa  
Covington  
Crenshaw  
Cullman  
Dale 776  
647  
3407  
787  
1580  
2309  
1070  
2542  
1874  
1055  
503  
912  
1831  
1175  
735  
960  
1297  
755  
984  
702  
1435  
869  
1350 337

421  
657  
1305  
1768  
292  
1773  
2072  
2298  
1831  
1242  
1311  
1128  
1210  
990  
1271  
1198  
1174  
1503  
753  
1498  
1176  
1870 764  
606  
3281  
730  
1482  
2314  
1003  
2447  
1795  
980  
466  
817  
1787  
1106  
654  
901  
1256  
703  
943  
649  
1362  
765  
1203 333 753 318  
231  
581  
1075  
1663  
227  
1622  
1801  
2100  
1654  
1042  
1187  
896  
1076

812  
1157  
956  
1090  
1484  
656  
1417  
1075  
1711

208

640  
1180  
1736 568  
3284  
835  
1457

248

1727  
1910  
2241  
1763  
1179  
1266  
1016  
1163  
864  
1273  
1038  
1130  
1486  
691  
1484  
1107  
1820 2296

1029  
2328  
1792  
938  
528  
919  
1832  
1092  
606  
910  
1226 695  
916  
645  
1300  
707  
1134



FOR GOVERNOR.      FOR SECRETARY  
OF STATE.      FOR ATTORNEY-  
GENERAL.  
COUNTIES

W.C.Oates R.F.Kolb    J.K. Jackson      Jno.C. Fonville    W.C. Fitts    W.S.Reese, Jr.

Dallas.....  
DeKalb.....  
Elmore.....  
Escambia.....  
Etowah.....  
Fayette.....  
Franklin.....  
Geneva.....  
Greene.....  
Hale.....  
Henry.....  
Jackson.....  
Jefferson.....  
Lamar.....  
Lauderdale.....  
Lawrenc.....  
Lee.....  
Limestone.....  
Lowndes.....  
Macon.....  
Madison.....  
Marengo.....  
Marion..... 6517  
1368  
1457  
688  
1255  
624  
463  
694  
846  
2725  
1991  
1988  
4589  
1157  
1648  
855  
1424  
1297  
4995  
1144  
2764  
2808  
1055 167  
1538  
2459  
576

1817  
1204  
1046  
1091  
199  
382  
1619  
1684  
4567  
911  
783  
2319  
1903  
1454  
361  
211  
1371  
1044  
579 6512  
1228  
1430  
621  
1189  
569  
412  
632  
832  
2697  
1885  
1817  
4416  
1067  
1620  
835  
1338  
1107  
4990  
1129  
2771  
2782  
974 158  
1243  
2437  
454  
1736  
1132  
669  
1041  
192  
318  
1473  
1575  
3970  
847  
628  
2128  
1800

1166  
351  
200  
1014  
985  
483 6514  
1136  
1493  
622  
1101  
613  
438  
592  
824  
2707  
1756  
1839  
4439  
1074  
1633  
795  
1298  
1269  
4991  
1121  
2735  
2804  
879 150  
1047  
2288  
449  
1697  
1045  
575  
972  
191  
294  
1332  
1412  
3733  
727  
501  
1985  
1723  
1080  
348  
178  
923  
904  
493

OFFICIAL VOTE OF ALABAMA--Continued

Counties.	FOR GOVERNOR. OF STATE. FOR ATTORNEY- GENERAL.	FOR SECRETARY				
	w. c. Oates	R.F. Kolb	J. K. Jackson	Jno. C. Fonville	W. C. Fitts	W.S. Reese, Jr.
Marshall.....	1150		1773 1061	1689	1091	1579
Mobile.....	2505		1544 2452	1135	2229	1167
Monroe.....	1650		424 1656	377	1652	344
Montgomery.....		4930	280 4901	261	4860	286
Morgan.....	1651		1549 1620	1426	1497	1336
Perry.....	1184		489 1138	461	1122	442
Pickens.....	1802		1746 1771	1736	1758	1677
Pike.....	1710		1400 1608	1289	1608	1187
Randolph.....	644		1328 577	1233	590	1099
Russell.....	1271		419 1251	342	1200	323
Shelby.....	1279		1747 1217	1616	1223	1488
St. Clair.....	715		2005 616	1872	606	1751
Sumter.....	1843		408 1813	392	1789	397
Talladega.....	2235		2471 2134	2122	2141	2007
Tallapoosa.....	1879		2476 1868	2359	1766	2287
Tuscaloosa.....	2065		2243 2063	2150	2063	2081
Walker.....	1201		1516 1188	1338	1213	1125
Washington.....	582		317 530	229	521	227
Wilcox.....	6270		131 6270	118	6272	105
Winston.....	402		663 323	547	270	529
Totals.....	110875	83292	106924	76195	105934	71316



101  
OFFICIAL VOTE OF ALABAMA.

COUNTIES.	FOR STATE					
AUDITOR.	FOR STATE					
TREASURER.	FOR SUPT.OF					
EDUCATION.						
	John Purifoy.	W. T .B. Lynch.	J.C. Smith.			
	Thos. K. Jones.					
	J. O. Turner.	J. P. Oliver.				
Autauga.....	768	359	770	317	761	312
Baldwin.....	577	188	603	209	573	182
Barbour.....	3315	592	3306	634	3295	591
Bibb.....	766	1157	768	1205	754	1141
Blount.....	1514	1692	1516	1704	1476	1671
Bullock.....	2311	230	2307	239	2317	191
Butler.....	1020	1680	1035	1679	981	1666
Calhoun.....	2433	1867	2464	1841	2341	1837
Chambers.....	1798	2190	1795	2218	1765	2181
Cherokee.....	960	1719	980	1736	920	1663
Chilton.....	456	1106	462	1127	444	1092
Choctaw.....	848	1212	851	1245	859	1234
Clarke.....	1782	971	1777	989	1773	949
Clay.....	1114	1124	1100	1144	1077	1112
Cleburne.....	653	858	660	874	607	805
Coffee.....	899	1202	903	1218	852	1170
Colbert.....	1213	1014	1223	1021	1211	997
Conecuh.....	715	1092	717	1122	668	1087
Coosa.....	952	1465	954	1481	948	1477
Covington.....	663	676	650	680	631	666
Crenshaw.....	1381	1425	1366	1456	1313	1400
Cullman.....	754	1071	766	1115	718	1060
Dale.....	1225	1750	1232	1774	1172	1714

102  
OFFICIAL VOTE OF ALABAMA

COUNTIES.    FOR STATE  
AUDITOR. FOR STATE  
TREASURER.    FOR SUPT. OF  
EDUCATION.

John Purifoy.  
W. T. B. Lynch.  
J.C. Smith.  
Thos. K. Jones.  
J. C. Turner.  
J. P. Oliver.

Dallas.....	6523	145	6531	146	6525	141
DeKalb.....	1164	1180	1179	1220	1070	1103
Elmore.....	1401	2405	1423	2410	1384	2395
Escambia.....	631	429	632	452	626	461
Etowah.....	1189	1680	1197	1692	1142	1574
Fayette.....	582	1112	575	1077	555	1116
Franklin.....	395	663	412	671	389	634
Geneva.....	618	1029	632	1030	600	988
Greene.....	834	182	834	193	835	183
Hale.....	2709	304	2705	347	2707	292
Henry.....	1885	1398	1873	1474	1796	1377
Jackson.....	1839	1502	1848	1550	1769	1406
Jefferson.....	4425	3648	4391	3754	4361	3614
Lamar.....	1053	786	1073	804	1038	796
Lauderdale.....	1589	573	1601	592	1607	558
Lawrence.....	822	2091	843	2111	791	2012
Lee.....	1310	1772	1327	1756	1278	1747
Limestone.....	1105	1107	1119	1134	1113	1086
Lowndes.....	4990	342	4991	341	4989	340
Macon.....	1119	204	1128	189	1120	186
Madison.....	2747	965	2786	976	2733	909
Marengo.....	2782	955	2783	973	2774	941
Marion.....	951	463	967	477	940	449

## OFFICIAL VOTE OF ALABAMA.

COUNTIES.	FOR STATE	FOR STATE	FOR STATE	FOR STATE	FOR STATE	FOR STATE
AUDITOR.	FOR STATE	FOR STATE	FOR STATE	FOR STATE	FOR STATE	FOR STATE
TREASURER.	FOR SUPT. OF	FOR SUPT. OF	FOR SUPT. OF	FOR SUPT. OF	FOR SUPT. OF	FOR SUPT. OF
EDUCATION.						
John Purifoy.						
W. T. B. Lynch.						
J. C. Smith.						
Thos. K. Jones.						
J. O. Turner.						
J. P. Oliver.						
Marshall.....	1085	1634	1080	1664	998	1557
Mobile.....	2391	1095	2446	1111	2368	1064
Monroe.....	1657	360	1655	361	1644	351
Montgomery.....	4891	252	4887	264	4840	259
Morgan.....	1528	1361	1581	1384	1523	1319
Perry.....	1145	442	1150	461	1145	430
Pickens.....	1771	1701	1763	1723	1766	1689
Pike.....	1620	1335	1631	1243	1581	1230
Randolph.....	571	1190	584	1203	554	1196
Russell.....	1247	308	1257	313	1244	315
Shelby.....	1231	1570	1246	1577	1173	1535
St. Clair.....	651	1797	659	1817	681	1838
Sumter.....	1813	387	1819	394	1815	381
Talladega.....	2134	2060	2146	2124	2135	2027
Tallapoosa.....	1802	2340	1829	2364	1785	2381
Tuscaloosa.....	2067	2107	2054	2159	2050	2098
Walker.....	1154	1224	1159	1253	1147	1212
Washington.....	521	226	535	226	535	247
Wilcox.....	6272	99	6264	115	6271	114
Winston.....	299	538	322	550	276	522
Totals.....	106630	73601	107122	74703	105129	72271

SCATTERING VOTE.

FOR GOVERNOR.

In Butler county—  
 Jesse F. Stallings..... 1

In Dale county—  
 Joseph F. Johnston..... 1

In Dallas county—  
 B. M. Long.....1

FOR ATTORNEY-GENERAL.

In Dallas county—  
 J. V. McDuffie..... 1

FOR STATE AUDITOR.

In Dallas county—  
 P. D. Barker..... 1

FOR SUPERINTENDENT- OF EDUCATION.

In Dallas county—  
 L. J. Bryan ..... 1

RESULT OF ELECTION.

The Speaker then proclaimed the result of election as follows:

FOR GOVERNOR.

W. C. Oates..... 110875  
 R. F. Kolb..... 83292  
 B. M. Long... ..... 1  
 Jesse F. Stallings..... 1  
 Joseph F. Johnston..... 1

FOR SECRETARY OF STATE.

Jas. K. Jackson..... 106924  
Jno. C. Fonville..... 76195  

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183119

FOR ATTORNEY-GENERAL.

W. C. Fitts..... 105 34  
W. S. Reese, Jr..... 71316  
J. V. McDuffee..... 1  

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177251

FOR STATE AUDITOR.

John Purifoy..... 106630  
W. T. B. Lynch..... 78603  
P. D. Burker... .. 1  

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180232

FOR STATE TREASURER.

J.C. Smith..... 107122  
Thos. K. Jones..... 74703  

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181825

FOR SUPERINTENDENT OF EDUCATION.

J. O. Turner..... 105129  
J. P. Oliver..... 72271  
L. J. Bryan..... 1  

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## PROCLAMATION OF RESULT.

The speaker of the house of representatives then declared that Wm. C. Oates, J. K. Jackson, W. C. Fitts, John Purifoy, J. Craig Smith, J. O. Turner, were duly and constitutionally elected governor, secretary, attorney general, auditor, treasurer and superintendent of education of the state of Alabama, respectively, for the term prescribed by law.

The object of the joint convention having been accomplished, the president of the senate announced that it was dissolved, whereupon the senate returned to its chamber.

The speaker of the house then declared in the presence of a majority of the general assembly and in the presence of both houses of the general assembly, that William C. Oates, having received the highest number of votes cast for governor, was duly and constitutionally elected governor of Alabama for the term prescribed by law.

That J. K. Jackson having received the highest number of votes cast for secretary of state, was duly and constitutionally elected secretary of state for Alabama for the term prescribed by law.

That William C. Fitts having received the highest number of votes cast for attorney general, was duly and constitutionally elected attorney general of Alabama for the term prescribed by law.

That John Purifoy having received the highest number of votes cast for state auditor was duly and constitutionally elected state auditor of Alabama for the term prescribed by law.

That J. Craig Smith having received the highest number of votes cast for state treasurer, was duly and constitutionally elected state treasurer of Alabama for the term prescribed by law.

That J. O. Turner having received the highest number of votes cast for state superintendent of education, was duly and constitutionally elected state superintendent of education for the term prescribed by law.

The president of the senate then announced that the purpose of the joint convention having been accomplished, it was dissolved.

The senate retired to the senate chamber,  
And on motion of Mr. Davis the house adjourned; fill  
Monday morning next at 10 o'clock.

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SIXTH DAY.

HOUSE OF REPRESENTATIVES,

November 19, 1894.

The house met pursuant to adjournment.  
Prayer by the Rev. Mr. Roper of the city.  
A quorum was present.  
The journal of yesterday was read and approved-

LEAVE OF ABSENCE

was granted to Messrs. Mayfield and Killibrew for one-  
day.

GOVERNOR'S MESSAGE.

OFFICE OF THE GOVERNOR,

Montgomery, Nov. 17, 1894.

To the General Assembly:

On the 31st of March, 1894, Mr. T. C. Bingham, in  
behalf of his father, the late Arthur Bingham, presented  
to me as ex-officio debt commissioner, 47 bonds for ex-  
change.

Of these bonds three are known as sterling bonds for  
225 pounds each, issued under act of February 17th,  
1870, and due 1st of June, 1890. Ten (10) bonds for  
\$1,000 each, issued under act February 19th, 1872, and  
due May 1st, 1892; and 34 are bonds for \$1,000 each, is-  
sued under act February 25th, 1873, and due 1st of  
March, 1893.

Mr. Arthur Bingham was at that time confined to his  
bed by what proved to be his last illness, and his condi-

tion was such that he could not transact business or make any statement about the matter.

He was treasurer of the state from the 13th of July, 1868, to December, 1870, and he was succeeded by Treasurer Grant, Bingham in turn succeeding Grant in 1872, and served as treasurer until the early part of December, 1874, when he was succeeded by Daniel Crawford.

The commissioners to adjust the state's indebtedness, in a report dated January 24th, 1876, referred to the lack of records showing the number of bonds issued. They say, among other things, that, "there are bonds in "the office of the treasurer, signed and countersigned, as "required by law, which mature in 1883, 1886, 1890 and "1892." "These bonds we presume were prepared for "the purpose of extending a part of the ante-bellum "bonds; but if so, they have not been called by the hold-"ers of the old bonds."

Arthur Bingham was indicted in 1875 in two or three cases on the charge of embezzlement. The indictments and docket show the nature of these charges, which do not cover any of the bonds now in question, but related to payments on account of the A. & M. College and other matters. On the trial of the main case Bingham was acquitted by the jury. The state was represented by Attorney General Sanford, Ex-Gov. Watts and Solicitor Fred S. Ferguson ; Mr. Bingham was represented by Hon. John A. Elmore, Hon. Saml. F. Rice and Hon. W. L. Bragg. Capt. Bragg wrote a letter before his death, which is now before me, in which he states that "the "jury were all Democrats, and some of them particularly "strong Democrats, while Mr. Bingham was a Republi-"can. There was a strong prejudice against Bingham-"in this case, confined generally to the Democratic party, "while the Republican party did not believe him guilty." The letter proceeds, "after the verdict in the strongest "case, the counsel for the State nol pressed the other cases " against Bingham of their own accord, as they were satisfied no conviction could be had. About the same time as the institution of these criminal proceedings a civil suit was commenced against Bingham in the city court of Montgomery, and another civil suit was also commenced against him and the sureties on his official bond.



It is alleged a great many breeches; of his official bond as Treasurer and among other transactions concerning the items upon which the indictment was founded. In these suits the same counsel represented the State and the defendant. The civil suits remained on the docket several years, each side endeavoring to get a trial; but on account of absent witnesses it was not brought to trial, and finally it was agreed that "as in as much as "the dispute involved long matters of accounts, running- "through Bingham's entire administration" from 1868 to the fall of 1874 and was not, therefore, a "proper "matter for a jury that it be referred to arbitrators." The arbitrators were Hon. Elmore J. Fitzpatrick, Geo. F. Moore, Esq., and W. T. Hatchett. A great deal of evidence was offered on both sides, and "it was "tried before the arbitrators purely upon the merits. "The investigation involved a period from 1868 to the "fall of 1874, embracing many millions of dollars." The arbitrators, after considering all the evidence, brought in the award that Bingham owed the State twelve or thirteen hundred dollars; "and it was shown by the evidence and conceded on all sides that this arose from a "mistake in his accounts, made by his clerk, and of "which he was wholly unconscious, and was purely constructive and technical default." The amount of the award was afterwards paid to the State. Arbitrator-Fitzpatrick, in a letter March 6th, 1884, declares that the arbitrators were satisfied that Bingham, "had not been "guilty of any corrupt conduct OF intent and that his "liabilities arose from errors in his accounts as Treasurer, and the errors did not appear to be intentional or " known to Mr. Bingham until long after they had occurred. Arbitrator Geo. F. Moore concurs substantially in this statement Ex-Gov. Watts, one of the attorneys of the State, agreed that "there was nothing criminal in "the facts disclosed before the court or before the arbitrators," but that, "his accounts had been loosely kept, "and while there were errors they were so explained as to exonerate him from any moral culpability." The arbitration was finally brought to a close and made the judgment of the court on the 19th December, 1879.

The unfavorable impression of the indictment and civil suits having been removed, the next question was

why the presentation was so long delayed ; though the statute under which the governor acts does not make delay a bar. The explanation is, that it was supposed these bonds were stolen, as a number of valuable papers and deeds were stolen from the residence of Mr. Bingham on the 3rd of July 1885, and a prosecution was commenced against Dean Wilson, who was acquitted in the city court of Talladega county, and the bonds which could not be found were supposed to have been stolen, until they were discovered in searching for some old papers, and, shortly afterwards, they were presented to me for exchange.

Among the papers is a written statement from Mr. Bingham to the debt commissioners accounting for the bonds which came into his possession of the million issue and the million and a half issue. Among the receipts given by the debt commissioners to Daniel Crawford, treasurer, is one showing the number of bonds that Mr. Crawford had on hand which he had received from Mr. Bingham. It appears from this receipt that among the bonds surrendered to the commission were a number of bonds of the same issue, but not of the same number as those now presented by Bingham for exchange. Examiner Lapsley made a report on the 16th of July, 1883 to Gov. O'Neal, of the examination of the accounts of the former agents, Lehman Durr & Co: It appears from this report and Bingham's statement that all of the issue of the million dollars of bonds under Act February 19th, 1872, were fully accounted for ; and it appears from Bingham's statement and the action that the debt commissioners took upon it, and the efforts that were made to charge him with civil liability which did not include any bonds which he failed to turn over, that he was not considered or held responsible for the over issue of thirty-eight thousand dollars in the amount of bonds under the Act of February 19th, 1872, and February 25th, 1873.

The examiner of public accounts and I have made thorough investigation as to these bonds, and of all records accessible which would throw light on the subject.

As to five of the bonds presented I have not the slightest doubt and will exchange them. Mr. Bingham bought them from the late Virgil S. Murphy, whose receipt is

produced, and the records show that Murphy had bonds of the state. As to the other forty-two bonds I would have no hesitation, but for the unfavorable presumption created by the facts above recited, which I think have been fully overthrown. Desiring to avoid injustice to a dead man, and being unwilling to evade responsibility by leaving this matter to my successor, I now advise you that unless otherwise advised by the general assembly I will make the exchange of the 42 bonds. It seems to me however that in view of the circumstances and the importance of the matter that I should give the general assembly an opportunity to make known its wishes in the premises before my retirement from office.

THOS. G. JONES.

On motion the above message was referred to the committee on ways and means.

#### INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate committees, as follows :

By Mr. Jinks—

H. 143. To authorize the circumstances under which death may be presumed,

Judiciary ;

By Mr. Hearn—

H. 144. To ascertain the number of bales of cotton grown in the state of Alabama,

Agriculture ;

By Mr. Brown of Conecuh—

H. 145. To authorize the commissioners court of Conecuh county, to issue bonds of said county to pay the outstanding indebtedness of said county on account of the building of a county jail, to buy additional ground, erect sheds, bins, fences, enlarge and repair the court house and improve the court house grounds &c,

Local legislation;

Also,

H. 146. To amend Section 4 of an act entitled an act to incorporate the Evergreen Industrial Normal School, approved February 16th, 1891.

Education;

By Mr. Burks—

H. 147. To incorporate the Polytechnic College and Ladies Institute of Cullman, Alabama, Education;

By Mr. Burks—

H. 148. To regulate the granting of certificates of qualification to teach in the public schools of the state of Alabama by literary colleges and other schools, Education;

Education;

By Mr. Burks—

H. 149. To amend section 983 of the code of the state-of Alabama, Education;

Education;

By Mr. Tuck—

H. 150. To prevent the sale of oats for seed purposes when mixed with seed of the Johnston grass, Agriculture ;

Agriculture ;

By Mr. Beeson—

H. 151. To authorize the mayor and aldermen of the town of Attalla, in Etowah county, to issue bonds of said town for the purpose of providing a sinking fund for the town of Attalla, viz : To use in paying interest on bonds, improve and repair electric light and water works plants, repair and improve public school buildings and general water and electric light supply, Corporations;

Corporations;

By Mr. Knight—

H. 162. To amend section 2 and section 12 of an act entitled an act to more effectually secure competent and well qualified jurors, in the several counties of this state, approved February 28, 1887, Judiciary;

Judiciary;

By Mr. Lipscomb (by request)—

To incorporate the State Loan & Trust Company, Corporations;

Corporations;

By Mr. O'Brien—

H. 154. To require persons operating coal mines, who pay for mining the same by weight, to have such coal honestly and carefully weighed, Mining and manufacturing;

Mining and manufacturing;

Also,

H. 155. To secure to wage-earners employed in the

business of mining, manufacturing or transportation a priority over other creditors in case of insolvency,

Judiciary;

By Mr. Ott—

H. 156. To require insurance companies to pay full face value of all policies issued by them when property on which policy was issued has been destroyed by fire, unless said property was fraudulently destroyed,

Banking and insurance;

By Mr. Ott—

H. 157. To confirm the incorporation and organization of the Merchants Bank of Florence, Alabama, and to enlarge and increase the powers of said corporation,

Banking and insurance;

By Mr. Kennedy—

H. 158. To better provide for the establishment and working of the public roads in Lauderdale county, Alabama,

Public roads and highways;

By Mr. Jackson—

H. 159. To allow stock to run at large in a part of beat five in Lee county, Alabama,

Local legislation;

By Mr. Whitten—

H. 160. To prevent laborers voluntarily entering into contracts in writing in the county of Lowndes for a term of one year or less from leaving or abandoning the service of their employers without just cause and with the intent to defraud them,

Special committee composed of the members from Lowndes;

By Mr. Coleman—

H. 161. To amend an act approved December 13, 1892, entitled an act to amend subdivision 28 of section 629 of the code,

Ways and means;

Also,

H. 162. To amend subdivision 4 of section 453 of the code,

Ways and means;

By Mr. Screws—

H. 163. To amend an act entitled an act to regulate

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the apportionment of the school fund in this state by the superintendent of education, approved February 19, 1891,

Education;

By Mr. Sanford—

H. 164. To prevent baiting of any place or field for doves or partridges,

Local legislation;

Also,

H. 165. To prescribe the manner of election of the recorder of the city of Montgomery,

Corporations ;

By Mr. Kyle—

H. 166. To amend section 647 of the code of 1886 of Alabama,

Judiciary;

By Mr. Fleming—

H. 167. To amend section 1 of an act entitled an act to establish a normal school for the education of white male and female teachers at Troy, in Pike county, Alabama,

Education;

By Mr. Curtis—

H. 168. To establish the Rodgers school district in Pike county,

Education;

By Mr. Camp—

H. 169. To amend an act entitled "an act to incorporate and establish a charter for the town of Childersburg, in the county of Talladega, approved February 25, 1889,

Corporations;

By Mr. Dale, (by request)—

H. 170. To regulate corporations engaged in the business of guaranteeing or acting as security for the fidelity of persons in public and private offices, employments or positions and the agents of certain corporations and prescribing penalty for failure to comply with the provisions thereof,

Revision of laws ;

By Mr. Cook (of Wilcox)—

Joint resolution, proposing amendment to section 2 of article of the constitution of the state of Alabama,

Counties and county boundaries.

## RESOLUTIONS

Were introduced as follows:

By Mr. Brooks—

Resolved by the house, the senate concurring, that a committee consisting of two from the house and two from the senate be appointed to report joint rules for the government of the two houses of the general assembly of Alabama;

By Mr. Knight—

Resolved by the house, the senate concurring, that a joint committee consisting of three on the part of the house and two on the part of the senate be appointed to make arrangements for the inauguration of Governor-elect William C. Gates, and to provide a suitable program for the inaugural ceremonies;

By Mr. Ward-

Resolved that a committee of three from the house and two from the senate be appointed to consider that part of the governor's message which pertains to the release of prisoners on their own recognizance when unable to furnish bail, and report to the two houses;

By Mr. Kelly—

Resolved by the house, the senate concurring, that a committee consisting of three from the house and two from the senate be appointed to consider and report proper legislation on the subject of the assessment of property for taxation in this state, and that said committee be authorized to sit during the recess of the general assembly;

Which resolutions were referred to the committee on rules.

## BILLS ON SECOND READING.

The chairmen of the several committees reported favorably on the following bills :

H. 20. To authorize and empower the mayor and aldermen of the city of Bessemer to issue bonds of said city for an amount not exceeding one hundred and twenty-five thousand dollars for the purpose of purchasing a system of waterworks for the said city;

H. 70. To amend section 18 sub-division 5 of an act to establish a new charter of Bessemer, Alabama, approved February 21st, 1893.

The above and foregoing bills were severally read a second time, and placed on the calendar.

Mr. John, from the committee on judiciary, returned H. 22 which on motion was referred to committee on education.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended as therein shown, and as amended has concurred in the house joint resolution raising a joint committee to attend and participate in the exercises of the reception of the cruiser "Montgomery," at Mobile.

Committee on part of the senate, Messrs. Browder, Porter and McRae. W. L. CLAY, Secretary.

#### SENATE MESSAGE.

The house on motion concurred in the senate amendment to the house joint resolution.

On motion the house adjourned till 10 a. m. tomorrow-

#### SEVENTH DAY.

#### HOUSE OF REPRESENTATIVES,

November 20, 1894.

The house met pursuant to adjournment.

Prayer by the Rev. Dr. Bryson of Huntsville.

A quorum was present

The journal of yesterday was read and approved.

Leave of absence was granted Messrs. Burns and Mayfield for one day, and to Mr. Browder of Russell for two days.



## REPORT OF COMMITTEE ON RULES.

Mr. Brooks, from the committee on rules, reported favorably upon house joint resolution appointing a joint committee to frame joint rules for the government of the two houses. The resolution was adopted, and the speaker appointed as the committee on part of house, Messrs. Brooks and Fletcher;

Also reported favorably house joint resolution raising joint committee to take into consideration that part of the governor's message relating to the release of certain parties charged with crime on their own recognizance ;

Which was adopted, and the speaker appointed as the committee from the house, Messrs. Ward, Rabb and Knight.

Also reported favorably house joint resolution raising a joint committee to make arrangements for the inauguration of Governor-elect William C. Oates,

Which was adopted, and the speaker appointed as the committee from the house, Messrs. Knight, Davis of Marion, and Gibbons.

## RECALLED AND RECOMMITTED.

On motion H . 164 was recalled from the committee on local legislation and referred to judiciary committee and H. 170 was recalled from the committee on revision of laws and referred to the committee on corporations.

## INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate committees, as follows:

By Mr. Gibbons—

H. 172. To prohibit cock fighting, or betting thereon, in the state of Alabama,

Judiciary;

By Mr. Graves—

H. 173. To prevent the tying or staking out of stock on the public roads and railroads of Barbour county,

Revision of laws;

By Mr. Bellinger—

H. 174. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous, or malt liquors or intoxicating bitters or beverages, within the limits of Cleveland school district,

Temperance;

By Mr. Jinks—

H. 175. To prevent laborers voluntarily entering into contracts in writing in the county of Bullock, for a term of one year or less, from leaving or abandoning the service of their employer without just cause or sufficient excuse,

Special committee, consisting of members from Bullock;

By Mr. Harris—

H. 176. To provide for the election of the superintendent of education of Chambers county by the vote of the people of the county as other county officers are, and to provide the length of the term of office of the superintendent of education in said county, to be appointed in October, 1895,

Education;

By Mr. Grant—

H. 177. To exempt from working on public roads, the township trustees of free public schools in the county of Clarke,

Public roads and highways ;

Also,

H. 178. To provide for payment of claims against the fine and forfeiture fund of Clarke county,

Fees and claims;

By Mr. Beasley—

H. 179. To amend an act entitled "An act to amend "subdivision 11 of section 453 of the code,"

Corporations;

By Mr. Ellis (with notice and proof)—

H. 180. To relieve W. J. and M. D. Still, of Elmore county, Alabama, of the disabilities of non-age,

Revision of laws ;

By Mr. Savage—

H. 181. To amend section 3022 of the code,

Revision of laws.

Also,

H. 182. To relieve township trustees from liability to road duty and poll tax,

Education ;

By Mr. Mills—

H. 183. To amend section 986 of the code of Alabama so as to change the date from the last Monday in October to second Monday in September,

Education;

By Mr. Williams, of Henry—

H. 184. For the preservation of game and birds in the, county of Henry,

Local legislation;

Also,

H. 185. To establish "The city Court of Dothan,"

Judiciary;

By Mr. Roach—

H. 186. To incorporate Pisgah Male and Female Academy,

Corporations;

By Mr. Lipscomb—

H. 187. To confirm the charter of the Bessemer Building and Loan Association, to provide for the increase of the capital stock, to authorize it to sell surplus money, at private sale, to invest unsold money, to buy, lease or otherwise dispose of real estate, to erect buildings or improvements, to borrow money and to provide for the increase of the capital stock, and to extend the time within which said association shall continue to exist as a corporation,

Corporations;

Also,

H. 188. To confirm, amend and enlarge the charter of the Bessemer Land and Improvement Company,

Corporations;

By Mr. O'Brien—

H. 188. To define the corporate limits of the city of Birmingham, in the state of Alabama,

Corporations;

By Mr. McQueen—

H. 190. To provide and prescribe for service upon receivers, foreign and domestic, holding, owning, claiming or operating property in this state,

Revision of laws;

By Mr. John—

H. 191. To make void any agreement whereby the title to personal property is reserved by the vendor, and possession given to the vendee, unless said agreement is in writing, describing the property, signed by the vendee and recorded,

Judiciary;

By Mr. Fielding—

H. 192. To allow the circuit court clerk of Limestone county, Alabama, certain fees for performing official duties not otherwise provided for, commonly known as ex-officio fees,

Fees and claims;

By Mr. Rowe—

H. 193. To divide the county of Madison into four commissioners districts and to provide the term of office of the members of the commissioners court,

Counties and county boundaries,

By Mr. Coleman—

H. 194. To amend sections 4, 6, 9, 12, 33, 34 and 41 of an act entitled an act to further regulate elections in the state of Alabama, approved February 21st, 1893,

Privileges and elections;

By Mr. Smith, of Mobile—

H. 195. For the relief of Harry T. Smith, an attorney of Mobile county, to compensate him for special services rendered to the state,

Fees and claims;

By Mr. McCorvey—

H. 196. For the relief of Neill Salter and the heirs of David Salter, of Monroe county, Alabama, and to authorize the governor to issue a patent to certain lands to said parties,

Local legislation;

By Mr. Clark—

H. 197. To provide for exemptions from administration in favor of the minor child or children, of certain property on the death of their mother when at the time of her death she was a widow, and to provide for the setting apart thereof,

Judiciary;

Also,

H. 198. To allow appeals by one or more parties to a judgment or decree without joining therein all the parties to such judgment or decree, and to declare the effect thereof,

Judiciary;

By Mr. Kyle—

H. 199. To abolish the city court of Decatur, and to transfer all the civil cases at law and the criminal cases therein pending, together with all the dockets, papers and books relating to said cases in said city court, to the circuit court of Morgan county, Alabama, and to transfer all the cases now pending upon the equity docket of said city court, together with all the dockets, papers and books of every kind whatsoever to the court of chancery of the county of Morgan,

Revision of laws;

Also,

H. 200. To amend section 3012 of the code 1886 of Alabama,

Judiciary;

By Mr. Barren—

H. 201. To regulate the management of state and county convicts,

Penitentiary and criminal administration;

By Mr. Boykin—

H. 202. To require conditional sales of personal property, where the title remains in the vendor to be evidenced by a writing, and to provide for the execution, attestation, filing and record of such writing and to define the rights of the parties thereto,

Judiciary;

By Mr. Deans—

H. 203. To repeal an act to regulate and prescribe the manner of electing county commissioners of Pike, Bullock, Washington, Baldwin, Butler, Choctaw, Fayette, Shelby, DeKalb and Pickens counties, so far as the same relates to Shelby county,

Local legislation;

By Mr. Forman—

H. 204. To provide for the better support and maintenance of the public schools of St. Clair county,

Education;

By Mr. Langley—

H. 205. To allow bonded constables of Tallapoosa county the same fees as the sheriff in certain cases, Revision of laws;

By Mr. Dale—

H. 206. To give a lien to all ginnerers of cotton in the state of Alabama, and a remedy to enforce, the same, Judiciary.

#### BILLS ON SECOND READING.

The chairmen of the several committees, reported favorably on the following bills :

H. 9. To give owners of lands or their assignees alien for the stipulated price or value commonly known as stumpage of timber sold from said lands, and to provide for the enforcement thereof ;

H. 17. To amend section 3875 of the code of Alabama;

H. 19. To allow the constable of Bessemer beat number 33 in Jefferson county, and the constable of Birmingham beat number 37 in Jefferson county, and the constable of Parson beat number 3 in Jefferson county to appoint deputies ;

H. 30. To amend an act entitled an act to provide for publication and proceedings against defendants whose names are unknown in proceedings for partition, approved February 18, 1893 ;

H. 32. To amend section 4022 of the code of Alabama;

H. 138. To incorporate the University school at Clanton, Chilton county, Alabama (with amendment) ;

H. 38. To regulate costs in justices courts in Montgomery county;

H. 151. To authorize the mayor and councilmen of Attalla in Etowah county to issue bonds of said town for the purpose of providing a sinking fund for the town of Attalla, viz : to use in paying interest on bonds, improve and repair electric light and waterworks plants, repair and improve public school buildings and general water and electric light supply ;

H. 105. To incorporate the Cumberland Presbyterian Seminary at Piedmont, Alabama;

H. 103. To amend an act entitled an act to incorporate the Alabama Baptist Colored Normal and Theological School and all amendments thereto ;

H. 91. To amend an act entitled, an act to incorporate the Mobile Gas Light and Coke Company, approved February 23, 1866. (With amendments.)

H. 72. To incorporate the Presbytery of North Alabama.

H. 2. To extend the time for the construction of the harbor and railroad of the Birmingham Mobile and Navy Cove Harbor Railroad Company.

H. 69. To amend section (320) three hundred and twenty of the code of 1886. (With amendment.)

H. 8. To amend section 991 of the code as to the County of Clarke.

H. 11. To amend section 997 of the code, as to the county of Clarke.

H. 21. To incorporate the Bailey Springs University for the higher education of women.

H. 63. To amend section one of an act entitled an act to incorporate the male and female academy located in the town of Leighton, Lawrence county, Alabama, approved February 28, 1889.

H. 77. To provide for the election of the superintendent of education of Jefferson county by the vote of the people and to provide the length of the term of office of the superintendent to be appointed in said county in October 1895.

H. 113 To establish a separate school district to be known as the Union Hill School District, in Henry county.

H. 169. To amend an act entitled and act to incorporate and establish a charter for the town of Childersburg, in the county of Talladega, approved February 25th, 1889.

H. 89. To prohibit the sale, giving away or otherwise disposing of any alcoholic, vinous or malt liquors, or other intoxicating drinks or beverages within four miles of the Methodist Episcopal Church South in Triana, and the Methodist Episcopal Church South, known as Wilsons Chapel, and the Methodist Episcopal church known as New Center Grove, all situated in Madison county, Alabama.

H. 130. To prohibit the sale or bartering of any spirituous, vinous, or malt liquors, or any alcoholic bitters, cordials or beverages of any kind within three miles.

of Bethel church, situated in beat 4, Lee county, Alabama.

H. 4. To require all fines and forfeitures imposed by any of the courts of Bibb county, to be paid in good and lawful money.

H. 5. To repeal section 4 of an act to regulate and prescribe the manner of electing county commissioners of Pike, Bullock, Washington, Baldwin, Butler, Choctaw, Fayette, Shelby, DeKalb and Pickens counties, approved January 30th, 1893. (With amendment.)

H. 56. To regulate and prescribe the manner of electing county commissioners of Calhoun county. (With amendment.)

H. 7. To preserve game animals and birds, in the counties of Washington and Clarke.

H. 23. To provide for the election of county superintendent of education of Lowndes county.

H. 24. To authorize Madison county to purchase the macadamized road belonging to the Madison Turnpike Company, and to issue bonds of said county to aid in the purchase of the same.

H. 49. To repeal an act entitled an act to authorize the sheriff of Washington county by virtue of his office to collect the state and county taxes thereof, and to perform generally all the duties required by law of the tax collector, approved February 10th, 1875.

H. 61. To amend an act entitled and act to better provide for the indigent poor people of Clarke county, approved December 12th, 1892.

H. 80. To divide all beats and precincts having more than one voting place, and make separate beats of each voting place, and provide for the same so far as the same pertains to Lauderdale county.

H. 82. To establish a Board of Revenue for Lowndes county, and define the powers and duties of said board of revenue.

H. 90. To regulate the fine and forfeiture fund of Marshall county.

H. 94. To amend an act to provide for the appointment of an official stenographer for the circuit and chancery courts in the county of Mobile, and the city court of the city of Mobile, and to define his duties and regulate his compensation, approved February 12th, 1879.



H. 104. For the preservation of fish, game and birds, in the county of Bullock.

H. 108. To regulate the election of county commissioners for Covington county.

H. 109. To authorize the judge of probate and commissioners court of Covington county, to lay off said county into four commissioners districts.

H. 140. To authorize the mayor and councilmen of Troy to issue bonds of said city for an amount not exceeding thirty thousand dollars, for the purpose of making and improving streets, establishing sewerage for said city and in-paying whatever outstanding floating (not bonded) indebtedness said city may have at the passage of this act.

H. 27. To provide for the working and improvement of the public roads in Mobile county by contract, and to further regulate the working of the road in said county,

H. 97. To repeal an act entitled an act to provide for the more efficient working, keeping up, repairing and improving the public roads and bridges, and opening and making new roads and bridges in the county of Morgan; to locate and construct and build within the limits of said county a system of public roads and bridges of a superior grade, to be known and designated as county roads.

H. 134. To repeal an act entitled an act for the protection of fish in Marion county.

The above and foregoing bills, were severally read a second time, and placed on the calendar.

#### RETURNED AND REFERRED.

The following bills were returned from the committees to which they were referred and referred as follows :

- H. 62, 50 and 45 to judiciary ;
- H. 48 and 60 to fees and claims;
- H. 10 to commerce and common carriers ;
- H. 165 to revision of laws;
- H. 170 to corporations.

#### BILLS ON THIRD READING.

H. 20. To authorize and empower the mayor and

board of aldermen of the city of Bessemer to issue bonds of said city for an amount not exceeding one hundred and twenty-five thousand dollars for the purpose of purchasing a system of water works of the said city,

Was read a third time, at length, and passed—yeas 69, nays 8.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Hearn, Hill, Jinks, Kelly, Kennedy, Knight, Lipscomb, Manning, Maples, Mastin, Mayfield, Meador, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Roach, Robbins, Rowe, Routon, Sanford, Scarborough, Screws, Seale, Smith of Greene, Smith of Mobile, Summers, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—69.

Nays :

Messrs. Banks, Harris, John, Langley, Meadows, Mills, Reaves, Savage—8.

H. 70. To amend section 18, subdivision 5 of an act to establish a new charter of Bessemer, Alabama, approved February 21st, 1893.

Was read a third time at length and passed.

Yeas 80, nays 0.

Yeas—Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Cameron, Camp, Cole, Cote-man, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, Jinks, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Routon, Sanford, Savage, Scarborough, Seale, Smith of Butler, Smith of Mobile, Sum-

mers, Tuck, Turner, Wheelless, Williams of Henry—80.

On motion of Mr. John the vote by which the bill was passed and the vote by which the bill was ordered to a third reading were reconsidered and the bill was tabled.

#### CONTEST OF ELECTION.

The speaker of the house laid before the house the statement of contest in the case of  
 M. BENNETT GABRETT }  
 vs. } From Clay County,  
 JOSEPH C. MANNING, }  
 which was referred to the committee on privileges and elections.

Mr. McQueen offered the following resolution:

Resolved, That the committee on the revision of Laws be allowed a clerk, which was referred to the committee on rules.

On motion the house adjourned till 10 a. m. tomorrow.

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#### EIGHTH DAY.

#### HOUSE OF REPRESENTATIVES,

Nov. 21, 1894.

The house met pursuant to adjournment.  
 Prayer by Rev. Mr. Ott of the house.  
 A quorum was present.  
 The journal of yesterday was read and approved.

#### DEATH OF HON. P. S. HOLT, THE MEMBER FROM MACON.

Immediately after reading the journal Mr. Smith of Autauga announced the death of Hon. P. S. Holt, the member of the house from Macon county, and. moved that the house adjourn out of respect to his memory.

Mr. Knight moved that a committee of 8 be appointed: to attend the funeral, and the speaker named, Messrs Knight, McQueen, Jinks, Kyle, Smith of Autauga, Graves, Ewing and Harris as the committee.

And the house by a rising vote unanimously adopted the motion to adjourn till to-morrow morning at 10 o'clock.

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NINTH DAY.

HOUSE OF REPRESENTATIVES,

November 22, 1894

The house met pursuant to adjournment.  
Prayer by Rev. Dr. Rush, of the city  
The journal of yesterday was read and approved.

LEAVE OF ABSENCE

Was granted to Mr. Barren till Tuesday ; and to Mr. Ward for to morrow and the next day.

REPORT OF COMMITTEE ON RULES.

The committee on rules reported favorably on the resolution allowing a clerk to the committee on revision of laws; provided said clerk (and not the clerk of the committee on local legislation) shall act as clerk to the committee on corporations when not otherwise engaged, and the report of the committee was concurred in.

RESOLUTIONS.

The following resolutions were offered, and referred to the committee on rules, to-wit:

By Mr. Ward—

Resolved, that the members who came in after roll call, be allowed to approach the clerk and have their names' enrolled.

By Mr. Williams, of Henry—

Resolved, that a committee of four from the house be appointed by the speaker to act on the joint committee with the senate, for re-districting the judicial circuits of the state.

#### INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate committees, as follows:

By Mr. Moore—

H. 207. To repeal an act to abolish the office of tax collector in the counties of Baldwin, Escambia and Sanford so far as the same relates to Baldwin county,

Local legislation;

By Mr. Gibbons—

H. 208. To govern contracts of conditional sale of household furniture of every description, pianos, organs and sewing machines,

Revision of laws ;

By Mr. Graves—

H. 209. To repeal an act entitled an act to prevent justices of the peace and notaries public with jurisdiction of justices of the peace, from sentencing defendants to hard labor for cost,

Judiciary;

By Mr. Kelly—

H. 210. To incorporate the Alabama State Mutual Assurance Company and to define its rights, powers and franchises,

Corporations;

Also,

H. 211. To incorporate "The Farmers Co-operative Insurance Association of Alabama,"

Corporations;

By Mr. Mastin (by request)—

H. 212. To provide for the registration and lien of judgments for the payment of money obtained in the justice courts of Chilton county,

Revision of laws;

By Mr. Calhoun--

H. 213. To amend section 4286 of the criminal code of Alabama, which relates to testimony of witnesses reduced to writing and subscribed,

Judiciary;

By Mr. Taylor—

H. 214. To regulate witness fees in civil cases,  
Revision of laws;

By Mr. Mixon, by request (with notice and proof)—

H. 215. To authorize Mrs. Josephine S. Mizell, widow of H. H. Mizell, deceased, to sell the dwelling house and lot lately belonging to said deceased, located in Haw Ridge, Coffee county, Alabama,

Revision of laws ;

Also—

H. 216. To define the boundary lines of the Clintonville school district, in Coffee county, Alabama,

Education;

By Mr. Rabb, by request—

H. 217. To authorize the mayor and councilmen of the town of Brewton to issue bonds of said city for an amount not exceeding fifteen thousand dollars, for the purpose of building or purchasing suitable school building for the use of the residents thereof,

Revision of laws;

By Mr. Beeson—

H. 218. To refund license money to J. M. Hammitt, of Etowah county,

Appropriations;

Also,

H. 219. To establish a uniform series of text books for public schools in Etowah county,

Education;

By Williams, of Henry—

H. 220. To regulate the publication of laws in newspapers in the state,

Public Printing;

By Mr. Ward—

H. 221. To establish a separate school district, to be known as "Reynolds school district" in Henry county,

Education;

By Mr. Montgomery—

H. 222. To provide a lien for proprietors or keepers of

hotels and boarding houses, and to repeal an act entitled "an act for the protection of landlords, proprietors or keepers of hotels and boarding houses," approved February 21st, 1893,

Revision of laws:

By Mr. O'Brien—

H. 223. To incorporate the Coosa Iron and Railroad Company,

Corporations;

By Mr. Davis—

H. 224. To establish the city court of Jasper,

Judiciary;

By Mr. Ott—

H. 225. To create the eleventh judicial circuit of the state of Alabama, to fix the time of holding court therein and to provide for the appointment of a judge and the election of a solicitor for said circuit,

Judiciary;

Also,

H. 226. To repeal an act entitled an act to establish the district court of Colbert and Lauderdale counties, approved February 13th, 1891, and to provide for the disposition of of causes pending in said court,

Judiciary;

By Mr. Summers—

H. 227. To repeal an act entitled an act to make four vires a lawful fence in a certain portion of Lawrence county, and to provide for the building and keeping up of a lawful fence along the line of townships 4 and 5,

Local legislation;

By Mr. Wheless—

H. 228. To create four commissioners districts in Lee county, Alabama, and to provide for the election of four commissioners thereof,

Local legislation;

By Mr. Whitten—

H. 229. To prohibit the playing or engaging in games of pool, billiards, dominoes or any other game of chance or amusement within any building, or within one hundred feet of any place where spirits, malt or vinous liquors, or intoxicating bitters or any other intoxicating beverage or drink is sold, given away or otherwise disposed of,

Temperance;

Also,

H. 230. To prohibit the sale of patent and proprietary medicines riot having a formula of the same labeled or printed upon the bottle or package containing such: medicine,

Public health ;

Also,

H.231. To provide for the giving notice of vendor's liens upon real property,

Judiciary;

By Mr. Rowe—

H. 232. To incorporate the Huntsville district high school in New Market, Madison county, Alabama,

Education;

By Mr. Fletcher—

H. 233. To protect mortgagees or tenants in possession. in growing crops,

Judiciary;

Also, (by request),

H. 234. To amend an act approved February 21, 1893, entitled an act to encourage the building and operating of cotton and woolen factories in the State of Alabama,

Ways and means ;

By Mr. Brooks,

H. 235. To amend section 2 of the act entitled an act-to authorize corporations organized under the general incorporation laws of the State, or which have been chartered by an act of the general assembly prior to the-enactment of the general incorporation laws of this State-of 1867, to alter and amend their charters, approved! December 12,1888,

Revision of laws;

Also,

H. 236. To provide for the humane killing of animals. so maimed or crippled by railroad locomotives or cars as-to be unable to procure food or drink for themselves,

Revision of laws;

H. 237. To prevent the abandonment of maimed, diseased, disabled or infirm animals by their owners or custodians,

Revision of laws;



Also,

H. 238. To prevent the fighting of cocks or other birds with gaffs or spurs, and to prevent the fighting of dogs, bulls, bears or other animals,

Revision of laws ;

By Mr. McCorvey—

H. 239. To regulate trials of misdemeanors in Monroe county,

Revision of laws ;

By Mr. Screws—

H. 240. To regulate and govern the practice in the courts of law and equity in this state in making the defenses of fraud, misrepresentation, breach of warranty, or failure of consideration to actions on contracts,

Judiciary;

Also,

H. 241. To make appropriations for the payment of sheriffs for the feeding and removal of prisoners for the years ending September 30th, 1893 and September 30th, 1894 respectively,

Appropriations ;

By Mr. Perry—

H. 242. To amend section 3089 of the code so far as the same relates to Perry county,

Local legislation:

Also,

H. 243. To regulate and prescribe the manner of electing county commissioners of Perry county,

Local legislation ;

By Mr. Fleming—

H. 244. To amend section 1 of an act entitled an act requiring all insurance companies, whether chartered by the state or admitted from other states, to have an actual cash capital fully paid up of not less than one hundred thousand dollars (\$100,000), and to require such companies to make annual statements to the auditor,

Banking and insurance ;

Also,

H. 245. To incorporate "The Alabama Mutual Fire Insurance Company,"

Corporations;

By Mr. Cameron (by request)—

H. 246. To amend sections 1, 2, 4, 6 and 9 of an act to

regulate the practice of pharmacy and the sale of poisons. in cities and towns of more than 900 inhabitants in the state of Alabama approved February 28, 1887, and amended by acts approved February 20 and 25, 1889,

Public health;

By Mr. Camp—

H. 247. To provide liens for all laborers, employes and material men who do or perform any labor or service or furnish any material under the employment of or a contract with any person, firm, association or corporation engaged in the manufacture of any article or commodity of trade or commerce, upon the insolvency of such person, firm or corporation, and upon any legal proceeding being taken by bill in chancery, attachment or other legal process, to subject the plant, machinery and property, or substantially all of the proper by of such person, firm, association or corporation to the payment of debt or debts ; or upon the foreclosure of any mortgage or deed of trust by bill in chancery or under a power of sale in such mortgage or deed of trust upon all or substantially all of the property of such person, firm, association or corporation,

Judiciary;

By Mr. Gains—

H. 248. To repeal an act to authorize the board of mayor and aldermen of the city of Jasper to negotiate a loan for the purpose of improving, grading and draining the streets, avenues and alleys of said city, establishing waterworks and the payment of the city's indebtedness,

Corporations ;

Also (with notice and proof) ,

H. 249. For the relief of F. A. Gamble, ex-probate; judge of Walker county, Alabama,

Appropriations;

Also,

H. 250. To create a separate school district in the city of Jasper, Alabama, to define the boundaries thereof and provide for the maintenance of schools therein,

Education;

Also (by request) ,

H. 251. To amend section eight of an act to amend section 2 and paragraphs 5, 7, 9 and 10, and section 4 and sections 9 and 10 of an act entitled an act to provide

for a charter for the city of Jasper in Walker county, Alabama, approved February 6th, 1889,

Corporations;

Also,

H. 252. To constitute a separate school district at Oakman, Alabama, and to provide a board of education therefor and constitute a board of trustees comprised of said educational board and they are hereby constituted a board of trustees of the West Alabama Male and Female College,

Education ;

By Mr. Turner—

H.253. To amend section 759 of the code providing for the election of a special judge when the judge of the circuit is absent, his duties and compensation,

Judiciary;

By Mr. Mills—

H. 254. To regulate the payment of claims against the fine and forfeiture fund of Geneva county,

Local legislation;

By Mr. Taylor—

H . 255. To provide for the compensation of state witnesses in Cleburne county,

By Mr. Rabb (by request)—

H. 256. To establish a county court for the county of Geneva and invest the same with civil jurisdiction,

Judiciary;

By Mr. Hill—

H. 257. To prohibit the collection of a debt for intoxicating liquors sold in quantities of one gallon or less,

Revision of laws.

#### RESOLUTIONS.

The following resolutions were offered, the rules were suspended, and the resolutions adopted, to-wit:

By Mr. Ott—

Whereas, our allwise creator has removed from our midst our esteemed co-worker, Hon. P. S. Holt, of Macon county ; therefore be it

Resolved, That we, the members of the house of representatives, do express our deep sympathy and condo-

lence to the bereaved relatives and friends of the deceased.

Resolved further, That the clerk be required to send a copy of these resolutions to the bereaved family.

By Mr. Kyle—

Resolved, That on November 28th, 1894, beginning at 12 o'clock M. that this hold memorial exercises in memory of Hon. P. S. Holt, late member from the county of Macon.

#### BILLS ON SECOND READING.

The chairmen of the several committees reported favorably on the following bills :

H. 41. To regulate the issue of garnishments and the proceedings therein in the county of Morgan ;

H. 53. To repeal an act approved February 21, 1893, entitled an act to regulate the trial of certain misdemeanors committed in Bullock county;

H. 55. To amend subdivision 5 of section 699 of the code ;

H. 57. To amend section 1810 of the code,  
(With substitute);

H. 59. To amend sections 3471 and 3472 of the code, and rule 52 of chancery practice ;

H. 62. To prevent the printing, publishing, selling, offering to sell or otherwise disposing of books, pamphlets or tracts containing a history of any man popularly known as an outlaw ;

H. 86. To require the production of books and writings in actions at law ;

H. 87. To regulate exceptions to the giving or refusal of charges asked in writing ;

H. 101. To provide for the service of legal process on domestic corporations, having no officer or agent within the state, on whom process can be served ;

H. 106. To amend subdivision three of section 2801 of the code;

H. 112. To amend section two of an act entitled "an act to prevent frauds being perpetrated by directors and managing officers of corporations on the stockholders or bondholders thereof," approved December 10, 1892,  
(With amendment);

H. 118. To amend section 3610 of the code of Alabama ;

H. 119. To repeal an act to regulate the liens of execution in Jefferson county, Alabama ;

H. 148. To regulate the granting of certificates of qualification to teach in the public schools of the state of Alabama by literary colleges and other schools;

H. 147. To incorporate the Polytechnic College and Ladies Institute of Cullman, Alabama,  
(With amendment);

H. 146. To amend section 4 of an act entitled "an act to incorporate The Evergreen Industrial Normal School," approved February 16th, 1891;

H. 22. To exempt school trustees from poll tax and road duty;

H. 150. To prevent the sale of oats for seed purposes which are mixed with seed of the Johnston grass,  
(With amendment);

H. 65. To repeal an act to prevent the compelling of women and children, or permitting of children under fourteen years of age to labor in a mechanical or manufacturing business more than eight hours in any day, approved February 28th, 1887, so far as the same relates to Etowah county ;

H. 154. To require persons operating coal mines, who pay for mining the same by weight, to have such coal honestly and carefully weighed ;

H. 39. To repeal section 82 of an act entitled an act to establish a new charter for the city of Montgomery, approved February 10th, 1893;

H. 18. To amend section 7 of an act approved 28th February, 1889, entitled an act to establish a charter for the town of Avondale, Jefferson county;

H. 42. To incorporate the Independent Brothers of Love;

H. 186. To incorporate Pisgah Male and Female Academy;

H. 79. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters at or within two miles of the town of Sulligent, county of Lamar,  
(With amendment);

H. 141. To prohibit the selling, giving away or other-

wise disposing of spirituous, vinous or malt liquors or of alcoholic bitters, cordials or beverages of any kind in St. Clair county;

H. 174. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, or beverages within the limits of Cleveland school district;

H. J. R. 171. Proposing amendment to section 2 of article II (2) of the constitution of the state of Alabama;

H. 193. To divide the county of Madison into four commissioners districts, and to prescribe the term of office of the members of the commissioners court;

H. 26. To authorize the mayor and councilmen of the city of Demopolis to issue bonds of the city of Demopolis for an amount not exceeding fifteen thousand dollars, bearing not more than six per cent. interest per annum, payable semi-annually, for the purpose of erecting and establishing water works for said city. (With amendment) ;

H. 98. To prevent the sale, exchange and buying of seed cotton in Perry county, and of seed cotton produced in said county ;

H. 159. To allow stock to run at large in a part of beat five in Lee county, Alabama ;

H. 178. To provide for payment of claims against the fine and forfeiture fund of Clarke county;

H. 184. For the preservation of game and birds in the county of Henry.

H. 192. To allow the circuit court clerk of Limestone county, Alabama, certain fees for performing official duties not otherwise provided for, commonly known as ex-officio fees ,

H. 195. For the relief of Harry T. Smith, an attorney of Mobile county, to compensate him for special services-rendered to the state ;

H. 196. For the relief of Neill Salter and the heirs of David Salter of Monroe county, Alabama, and to authorize the governor to issue a patent to certain lands to-said parties ;

H . 203. To repeal an act to regulate and prescribe the manner of electing county commissioners of Pike, Bullock, Washington, Baldwin, Butler, Choctaw, Fayette,

Shelby, DeKalb and Pickens counties so far as the same relates to Shelby county ;

H. 74. To provide for the making and maintaining the public roads and bridges in Jefferson county, Alabama, (with amendment).

The above and foregoing bills, were severally read a second time, and placed on the calendar.

TAKEN FROM ADVERSE REPORT, AND PLACED ON CALENDAR.

H. 3. To repeal an act entitled an act to regulate the trials of misdemeanors in the county of Bibb, and to provide for the disposition of certain cases now pending in the county court of Bibb county, and to abolish the county court of Bibb county,

Was taken from adverse report, read a second time, and placed on the calendar.

RECOMMENDED.

The following bills were taken from adverse report, and referred as follows :

H. 31, 33 and 81 to judiciary;

H. 60, to counties and county boundaries.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

The committee on enrolled bills have examined the following bill and find it correctly enrolled :

H.1. To confirm and amend the charter of the "Selma Fair and Driving Association," and to give the mayor and police of Selma authority to preserve order on the grounds thereof.

J.H.MONTGOMERY,  
Chairman.

SIGNING BILLS.

The speaker of the house, in the presence of the house, and immediately after its title had been publicly read

by the clerk, signed the bill, whose title is set out in the foregoing report of committee on enrolled bills.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

The committee on engrossed bills report the following bills correctly engrossed :

H. 20. To authorize and empower the mayor and board of councilmen of the city of Bessemer to issue bonds of said city, for an amount not exceeding twenty-five thousand dollars for the purpose of purchasing a system of water works for the said city.

CHAS. A. WHITTEN,  
Chairman.

#### BILLS ON THIRD READING.

H. 2. To extend the time for the construction of the harbor and railroad of the Birmingham, Mobile and Navy Cove Harbor Railroad Company,

Was read a third time at length and passed—Yeas, 79, Nays 0.

Yeas—Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Burks, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ellis, Fielding, Fleming, Fletcher, Ford, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Hearn, Hill, Jackson, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Nixon, Montgomery, McClusky, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Scarborough, Seale, Smith of Butler, Smith of Green, Smith of Mobile, Summers, Taylor, Turner, Ward, Wheeless, Whitten, Willett, Williams of Bullock, Williams of Henry.—79.

H. 70. To amend section 18 sub-division 5 of "An act to establish a new charter of Bessmer" Alabama, approved February 21st, 1893, was, on motion of Mr. John, taken from the table.



A substitute, with the following caption : "To amend subdivision 5 of section 18 of an act to establish a new charter for the city of Bessmer,' approved February 21st, 1893," was adopted,

And the bill was read a third time, at length, and passed.—Yeas 77, Nays 0.

Yeas—Messrs, Speaker, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Burks, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Hearn, Hill, Jackson, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Manning, Maples, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, O'Brien, Ott, Patton, Perry, Rabb, Rand, Roach, Robbins, Rowe, Routon, Savage, Scarborough, Scale, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry.—77.

H. 4. To require all fines and forfeitures imposed by any of the courts of Bibb county, to be paid in good and lawful money.

Was read a third time at length and passed—Yeas 80, Nays 0.

Yeas—Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Burks, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladga, Cook of Wilcox, Curtis, Dale, Deans, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Hearn, Hill, Jackson, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mixon, Montgomery, Moore, McClusky, McCorvey, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Savage, Scarborough, Screws, Scale, Smith of Butler, Smith of Green, Smith of Mobile, Summers, Tucker, Turner, Ward, Wheelless, Willett, Williams of Henry,—80,

H. 5. To repeal section four of and act to regulate and prescribe the madder of electing county commis-

sioners of Pike, Bullock, Washington, Baldwin, Butler, Chactaw) Fayette, Shelby, DeKalb and Pickens counties, approved January 30th, 1893.

The following amendment was adopted : "Amend on the 8th, line of section one, after the word Bullock, by adding the words Baldwin, Pickens, Fayette, and Wash-ton counties."

And the bill was read a third time at length, and passed—Yeas 77, Nays 4.

Yeas—Messrs. Banks, Barren, Beasley, Beeson, Bel-linger, Books, Brown of Conecuh, Burks, Calhoun, Came-ron, Camp, Coleman, Cook of Talladega, Cook of Wil-cox, Curtis, Dale, Deans, Ellis, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Hearn, Hill, Jackson, Kelly, Kennedy, Killibrew, Kyle, Langley, Lipscomb, Manning, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, O'Brien, Ott, Patton, Perry, Pro well, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Savage, Scarborough, Seale, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Turner, Ward, Wheelless, Whitten, Willett, Williams of Bullock, Will-iams of Henry.—77.

Nays.—Messrs. Boykin, John, Maples, and Tuck.

H. 7. To preserve game animals and birds in the counties of Washington and Clarke.

On motion, the bill was so amended as to include in its operations the county of DeKalb.

And the bill was read a third time, at length, and passed—Yeas 75, nays 2.

Yeas.

Messrs. Banks, Barren, Beasley, Beeson; Bellinger, Boykin, Brooks, Brown of Conecuh, Burks, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ellis, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Hearn, Jackson, John, Kelly, Kenne-dy, Killebrew, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, McClusky, McQueen, O'Brien, Patton, Per-ry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Rob-

binson, Rowe, Routon, Savage, Scarborough, Seale, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry.—75.

Nays—Messrs. Cole and Taylor.—2.

H. 8. To amend section 991 of the code, as to the county of Clarke,

Was read a third time at length, and passed—Yeas 68, nays 1.

Yeas.

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Deans, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Hearn, Jackson, John, Kelly, Kennedy, Killebrew, Langley, Lipscomb, Maples, Martin, Mayfield, Meador, Meadows, Mahan, McClusky, McCorvey, O'Brien, Ott, Patton, Perry, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Routon, Savage, Scarborough, Seale, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—68.

Nays.—Mr. Brown, of Conecuh.

H. 9. To give to owners of lands, or their assignees, a lien for the stipulated price, or value, commonly known as stumpage, of timber sold from said lands, and to provide for the enforcement thereof,

Was read a third time at length, and passed—Yeas 72, nays 0.

Yeas.

Messrs. Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ellis, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Hearn, Hill, Jackson, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Martin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Moore, McClusky, McCorvey, O'Brien, Ott, Perry, Prowell, Reaves, Roach, Robinson, Rowe, Routon, Scarborough, Seale, Smith of Greene, Smith of Mobile,

Summers, Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Willett, Williams of Henry.—72.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the house joint resolution,

Raising a joint committee to make arrangements for the inauguration of Governor-elect William C. Oates and to provide a suitable program for the inaugural ceremonies.

Committee on part of the senate, Messrs Kilpatrick and Sayre;

And has concurred in the house joint resolution raising a joint committee to report joint rules for the government of the two houses of the General Assembly of Alabama.

Committee on the part of the senate, Messrs. Samford and Hundley.

W.L.CLAY,  
Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has passed the house bill

H. 1. To confirm and amend the charter of the "Selma Fair and Driving Association," and to give the mayor and police of Selma authority to preserve order on the grounds thereof;

And has originated and passed the following bills :

s. 14. To more clearly define and locate the boundary line between the counties of Clay and Talladega in this state;

And has adopted a joint resolution herewith sent raising a joint committee to provide for redistricting the judicial circuits of the state.

Committee on the part of the senate, Messrs. Walker of Henry, Porter, Austill, Rogers;

And has also adopted joint resolution herewith sent

raising a joint committee to report the time at which the general assembly shall adjourn for the holidays, and reconvene thereafter.

Committee on part of the senate, Messrs. Hundley and Hogue.

W.L.CLAY,  
Secretary.

#### SENATE MESSAGE.

s. 14. The bill mentioned in the above and foregoing-senate message was read and referred to a special committee, consisting of the members from the counties of Clay and Talladega.

The joint resolutions referred to in the foregoing senate message were read, and referred to the committee on rules.

On motion, the house adjourned till 10 A. M. tomorrow.

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#### TENTH DAY.

#### HOUSE OF REPRESENTATIVES,

November 23, 1894.

The house met pursuant to adjournment.

Prayer by the Rev. Dr. Rush, of the city.

A quorum was present.

The journal of yesterday was read and approved.

Leave of absence was granted to Mr. Jackson for to-day, to Messrs. Camp, Calhoun, and Williams of Henry, for to-morrow, to Mr. Coleman till Tuesday, and to Mr. Burns indefinitely.

Filling vacancies in committees caused by death of the gentleman from Macon, Hon. P. S. Holt,

Mr. Montgomery, Judiciary;

Mr. Rand, Ways and Means ;

Mr. Prowell, Privileges and Elections;

Mr. Fleming to take place of Mr. Prowell on Corn.

10 h

Min. and Manufacturing; and Mr. Gibbons to take place of Mr. Fleming on Commerce and Common Carriers; Mr. Dale to take the place of Mr. Montgomery on Revision of Laws.

#### INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate committees, as follows :

By Mr. Smith, of Autauga—

H. 258. To amend sections 3870 and 3871 of the code, Revision of laws;

Also,

H. 259. To prevent the removal of personal property unless the taxes for the current year have been paid thereon,

Ways and means;

By Mr. Jinks—

H. 260. To amend section 3091 of the code of 1886, Judiciary;

By Mr. Mastin—

H. 261. To perpetuate the United States government surveys in Chilton county,

Revision of laws;

By Mr. Hearn—

H. 262. To amend an act entitled an act to provide for the election of county superintendent of education of Choctaw county,

Education;

By Mr. Manning—

H. 263. To regulate the election of county commissioners for Clay county,

Privileges and elections;

Also (by request),

H. 264. To incorporate the intendant and trustees of Hatchet creek camp grounds, and preserve order at said camp ground,

Corporations;

By Mr. Taylor—

H. 265. To provide for the better support and maintenance of the public schools of Cleburne county,

Education;

By Mr. Tuck—

H. 266. To vest in justices of the peace -of Dallas county and notaries public and ex-officio justices of the peace concurrent jurisdiction with the city and circuit courts of Dallas county, in the trial of persons charged with carrying concealed weapons about then persons,

Judiciary;

\_By Mr. Mills—

H. 267. Prohibiting the sale or giving away of any spirituous, vinous or malt liquors within one mile of Coffee Springs camp grounds in Geneva county,

Temperance;

Also,

H. 268. To prevent all persons from hunting upon the inclosed lands of the residents of Geneva county, except by written permission of the occupant of the inclosed premises,

Local legislation;

By Mr. Maples—

H. 269. To amend section 4169 of the code of Alabama,

Revision of laws;

Also,

H. 270. To amend an act entitled an act to relieve married women of their disabilities of minority, approved February 21st, 1893,

Judiciary;

By Mr. O'Brien—

H. 271. To amend sections 1, 2, 15, 16, 19, 20 and 21 of an act to create the office of inspector of mines, and to prescribe the duties and powers of such office, approved February 18th, 1891,

Mining and manufacturing;

By Mr. McClusky—

H. 272. To encourage the cultivation of the grape and other fruits in this state and to provide for and regulate the sale of vinous liquors produced from fruits grown by cultivation and also indigenous or wild fruits of all kind and description from which wines can be made and to allow wines made in this state from fruits grown in this state, to be sold by the maker or producer of such wines without a license in all the markets of Alabama,

Revision of laws ;

By Mr. Rowe—

H. 273. To amend section 3091 (3496) of the code of Alabama of 1886,

Revision of laws;

By Mr. Brooks—

H. 274. To provide for the awarding of contracts for state and county printing to citizens of this state,

Public printing;

By Mr. Sanford—

H. 275. To prescribe for service of summons upon receivers of corporations,

Judiciary;

By Mr. Kyle—

H. 276. To amend section 4053 of the code of Alabama, so far as relates to the county of Morgan,

Revision of laws ;

By Mr. Curtis—

H. 277. To amend section 4031 of the code of 1886.

Revision of laws;

By Mr. Reaves—

H. 278. To incorporate Graham College in Randolph county, Alabama,

Corporations;

By Mr. Forman—

H. 279. To prevent the running at large in the state of Alabama of rabid dog or dogs bitten or supposed to have been by a rabid dog,

Public health;

By Mr. Turner—

H. 280. To prohibit the selling, bartering, exchanging or giving away spirituous, vinous or malt liquors, intoxicating bitters or beverages within four miles of the Methodist church at Fair Ford, in Washington county,

Temperance;

Also,

H. 281. To provide for the appointment of county solicitors, their duties, fees and terms of office, to fill vacancies in the office and the appointment of county solicitors pro tem. and their fees,

Judiciary;

By Mr. Ford (with petition)—

H. 282. To establish a separate school district to be:



known as the Freeman school district in Winston county, Alabama,

Education;

By Mr. Ford—

H. 283. To establish a separate school district in Winston county, to be known as the Poplar Spring school district,

Education;

By Mr. Graham—

H. 284. To amend section 2134 of the code of Alabama,

Judiciary;

By Mr. John—

H. 285. To authorize persons engaged in surveys provided for by laws of the congress of the United States, to enter on lands within this state for the purpose of said surveys, to protect the operations of the same from injury and molestation : to prescribe the mode of assessing damages caused to any property in the progress of the same, and to provide for the punishment of offenders against the provisions of this act and for other purposes,

Judiciary;

Also,

H. 286. To regulate the practice of quarantine in Alabama,

Public health;

Also,

H. 287. To amend section 2590 and 2591 of the code of Alabama,

Judiciary;

Also,

H. 288. To amend section 3931 (4170) of the code of Alabama,

Revision of laws ;

Also,

H. 289. To regulate proceedings in garnishment cases in Jefferson county, Alabama,

Revision of laws;

By Mr. Meador—

H. 290. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the state for interest on the public debt and for public schools,

Appropriations;

By Mr. Mayfield—

H. 291. To provide for and regulate the mode of selecting, drawing and enpannelling grand and petit jurors. for the county of Tuscaloosa.

Judiciary;

By Mr. Fletcher—

H. 292. To appropriate the sum of thirty-three dollars- to pay J. R. Stegall for boarding state witnesses in the impeachment trial of John B. Talley.

Appropriations;

Also,

H. 293. To appropriate the sum of three hundred and- fifty dollars to pay Richard W. Walker for professional services rendered the state, under contract with the gov- ernor, in the impeachment trial of John B. Talley.

Appropriations;

#### RESOLUTIONS.

Mr. Brooks offered the following resolution :

Resolved, that rule 22 be so amended that it shall pro- vide that the clerk of the committee on local legislation, and not the clerk of the committee on privileges and elections, shall, when not otherwise engaged, serve the committee on penitentiary and criminal administration,

Which was referred to the committee on rules.

Mr. Ott offered the following resolution :

Resolved, that on and after Monday 26 inst. this house convene at 10 a. m. and adjourn at 12 m., and again convene at 3 p. m. and adjourn at pleasure,

Which was referred to the committee on rules.

Mr. Brooks offered the following resolution :

Resolved that the clerk of the house be and he is here- by authorized to employ such assistance as may be nec- essary to efficiently transact the business of his office,

Which was referred to the committee on rules.

Mr. Grant offered the following resolution :

Resolved, that when business demands it, the morning session of this house continue until 10 o'clock p.m.

Which was adopted on suspension of the rules.

## REPORT OF COMMITTEE ON RULES.

The committee on rules reported favorably on Mr. Ward's resolution authorizing members to have their names enrolled without addressing the speaker ;

Also reported favorably on the senate joint resolution raising a joint committee to report upon the time for taking a recess for holidays and reassembling thereafter.

The speaker appointed as the committee from the house Messrs. John, Fletcher and Gibbons.

## BILLS ON SECOND READING.

The chairmen of the several committees, reported favorably on the following bills :

H. 120. To amend section 2 of an act to compel the determination of claims to real estate in certain cases and to quiet the title to the same.

H. 92. To legalize the registration of deeds of conveyance which have been filed and recorded in the office of the judge of probate of the proper county in this state before the passage of this act, but not within the time required by law.

H. 122. To amend an act to establish the criminal court of Jefferson county, approved February 18, 1889.

H. 123. To amend sections four and ten of an act to amend an act to expedite the trial of capital cases in Jefferson county, approved February 11th, 1891.

H. 54. To require the clerk of the circuit court of Butler county to perform the duties of clerk of the county court of said county and fixing his fees for such services.

H. 71. To amend section 3763 of the criminal code of 1886.

H. 73. To confer upon the mayor of the city of Bessemer, Alabama, the powers and jurisdiction of a justice of the peace in the corporate limits and police jurisdiction of said city.

H. 75. To define the territorial jurisdiction of justices of the peace and notaries public ex-officio justices of the peace of the several precincts in Jefferson county and the notaries public ex-officio justices of the peace appointed for the several wards of the city of Birmingham.

H. 78. To alter and amend the law relating to the territorial jurisdiction and pay of justices of the peace and notaries public ex-officio justices of the peace in precincts 21 and 37 in Jefferson county and the several wards of the city of Birmingham and to provide a punishment for the violation thereof.

H. 83. To repeal an act entitled an act to fix the compensation for recording registration and copying in the probate offices in the counties of Lowndes, St. Clair, Etowah, Blount and Cullman so far as the same relates to the county of Lowndes.

H. 99. To repeal an act entitled an act to more effectually secure competent and well qualified jurors in the several counties of this state, approved February 28, 1887, and the acts amendatory thereof so far as applicable to the county of Pike.

H. 107. To repeal an act entitled an act to regulate the pay of the judge of probate and clerk of the circuit court of Covington county for services ex-officio, approved January 28, 1891.

H. 110. To repeal an act entitled an act to regulate the issue of garnishments and the proceedings thereon in the counties of Jefferson, Dallas, Calhoun, Escambia and Cleburne, approved February 21, 1893.

H. 135. To repeal an act entitled an act to regulate the commissioners court in Marion county.

H. 205. To allow bonded constables of Tallapoosa county the same fees as the sheriff in certain cases.

H. 190. To provide and prescribe for service upon receivers, foreign and domestic, holding, owning, claiming or operating property in this state.

H. 95. To provide for the entry of payment of the purchase money recited in conveyances of property on the margin of the record of such conveyances,

(With amendment) ;

H. 173. To prevent the tying or staking out of stock on the public roads and railroads of Barbour county.

H. 165. To prescribe the manner of election of the recorder of the city of Montgomery;

H. 84. To amend section 4331 of the code of 1886 ;

H, 128. To secure more effectually competent and well qualified jurors in the county of Etowah ;

H. 167. To amend section one of an act entitled an

act to establish a normal school for the education of white male and female teachers at Troy, in Pike county, Alabama, so as to read as follows, to-wit:

H. 248. To repeal an act to authorize the board of mayor and aldermen of the city of Jasper to negotiate a loan for the purpose of improving, grading and draining the streets, avenues and alleys of said city, establishing water works and the payment of the city's indebtedness ;

H. 242. To amend section 3089 of the code so far as the same relates to Perry county ;

H. 243. To regulate and prescribe the manner of electing county commissioners of Perry county ;

H. 251. To amend section 8 of an act entitled an act to amend section 2 and paragraphs 5, 7, 9 and 10 and section 4 and sections 9 and 10 of an act entitled an act to provide a charter for the city of Jasper in Walker county, Alabama, approved February 6, 1889;

H. 162. To amend sub-division 4 of section 453 of the code, (with amendment).

H. 175. To prevent laborers voluntarily entering into contracts in writing in the county of Bullock for a term of one year or less from leaving or abandoning the service of their employer without just cause or sufficient excuse;

H. 160. To prevent laborers voluntarily entering into contracts in writing in the county of Lowndes for a term of one year or less from leaving or abandoning the service of their employer without just cause and with the intent to defraud them, (with amendments).

The above and foregoing bills, were severally read a second time, and placed on the calendar

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

The committee on engrossed bills reports the following bills correctly engrossed : Nos. 2, 4, 6, 7, 8, 9, 70.

CHAS. A. WHITTEN, Chairman.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has originated and passed the following-bills;

s. 10. To amend section 2 of an act to regulate the drawing and summoning of jurors in the county of Montgomery, approved February 21, 1893;

s.12. To amend section 4331 of the code of Alabama, so far as the same relates to Montgomery county ;

s. 18. To relieve Rit. M. Lavender, of Hale county, of the disabilities of non-age;

s. 30. To regulate and prescribe the manner of electing the county commissioners of Bibb county ;

s. 6. To authorize the mayor and councilmen of the city of Demopolis to issue bonds of the city of Demopolis for an amount not exceeding fifteen thousand dollars, bearing not more than six per cent. interest per annum, payable semi-annually, for the purpose of erecting and establishing waterworks for said city ;

s. 40. To provide for the entry of payment of the purchase money recited in conveyances of property on the margin of the record of such conveyances.

s. 51. To authorize the dismissal of garnishment proceedings in cases where plaintiff has failed to get service on defendant for two regular terms of the court;

s. 53. To authorize the chancellor, judge or register to require the complainant to give bond before a receiver is appointed ;

s. 55. To regulate the exceptions to the giving or refusal of charges in writing;

s. 58. To amend an act, approved on the 13th February, 1879, entitled an act for the preservation of game, animals and birds in the counties of Mobile, Monroe, Wilcox and other counties therein named, so far as relates to Wilcox county;

s. 4. To amend section 19 of an act entitled an act to incorporate the Mobile and West Alabama Railroad Company, and to expedite the construction of said railroad, approved February 11, 1893.

W. L. CLAY, Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once, and referred to the committees as follows :

Judiciary, s. 18, 40, 53, 55.

Revision of laws, s. 51.

Corporations, s. 4.

Local legislation, s. 10, 12, 30, 58.

#### BILLS ON THIRD READING.

H. 17. To amend section 3875 of the code of Alabama,

Was read a third time at length, and passed—yeas 73, nays 0.

Yeas—Messrs. Banks, Beasley, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Coleman, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jinks, John, Kelly, Kennedy, Killibrew, Knight, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mixon, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rand, Roach, Robbins, Robinson, Rogers, Routon, Sanford, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry.—73.

H. 19. To allow the constable of Bessemer beat number 33 in Jefferson county, and the constable of Birmingham beat number 37 in Jefferson county and the constable of Perron beat number 3 in Jefferson county to appoint deputies,

Was read a third time, at length, and passed—yeas 77, nays 0.

Yeas—Messrs. Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fielding, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, Jinks, John, Kelly, Kennedy, Killibrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton,

Perry, Rand, Reaves, Robbing, Robinson, Routon, Sanford, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Taylor, Tuck, Turner, Wheelless, Whitten, Williams of Bullock, Williams of Henry.—77.

H. 30. To amend an act entitled an act to provide for publication and proceedings against defendants whose names are unknown in proceedings for partition, approved February 18, 1893,

Was read a third time, at length, and passed—yeas 67, nays 0.

Yeas—Messrs. Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ewing, Fleming, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Jinks, John, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robinson, Rowe, Routon, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Taylor, Tuck, Turner, Wheelless, Whitten, Williams of Bullock.—67.

H. 32. To amend section 4022 of the code of Alabama.

Was read a third time, at length, and passed—yeas 83, nays 0.

Yeas.—Messrs. Banks, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Cole, Coleman, Cook, of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Dean, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewing, Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, Jackson, Jinks, John, Kelley, Kennedy, Killebrew, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rabb, Rand, Roach, Robbins, Robinson, Rowe, Routon, Sanford, Savage, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry.—83.



H. 138. To incorporate the university school of Clanton, Chilton county, Alabama,

The following amendment was adopted : "Amend by striking out section 7 of the bill;"

And the bill as amended was read a third time, at length, and on motion of Mr. Knight, was tabled.

H. 38. To regulate costs in justice's courts in Montgomery county,

Was read a third time, at length and passed—yeas 92, nays 0.

Yeas.—Messrs. Speaker, Banks, Beasley, Beeson, Bellingier, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Manning, Maples, Mastin Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Pat-ton, Perry, Prowell, Rabb, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon Sanford, Savage, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry.—92.

H. 151. To authorize the mayor and aldermen of the town of Attalla, in Etowah county, to issue bonds of said town for the purpose of providing a sinking fund for the town of Altalla viz : To use in paying interest on bonds, improve and repair electric light and water works plants, repair and improve public school buildings and general water and electric light supply.

Mr. John offered the following amendment:

Strike out of title the words "to use in paying interest on bonds."

Strike out of section 1 the words, "said bonds and coupons being payable in gold of the present standard weight and fineness."

The amendmsnt was adopted and the bill was read a third time, at length, and passed—yeas 74, nays 3.

Yeas.—Messrs. Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Burks, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Hearn, Jinks, Kelly, Kennedy, Killebrew, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Rogers, Rowe Routon, Savage, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Wheeless, Willett, Williams of Bullock, Williams of Henry—74.

Nays.—Messrs. Brown of Russell, Harris, Mills.

H 105. To incorporate the Chamberland Presbyterian Seminary at Piedmont, Alabama,

Was read a third time, at length, and passed—yeas 77, nays 0.

Yeas—Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Graves, Harris, Hearn, Hill, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McCluskey, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Wheeless, Willett, Williams of Bullock, Williams of Henry—77.

H. 103. To amend an act entitled an act to incorporate the Alabama Baptist Colored Normal and Theological School and all amendments thereto,

Was read a third time at length, and passed—yeas 75, nays 0.

Yeas—Messrs. Banks, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deans, Ellis, Fielding, Fleming,

Fletcher, Form-an, Franklin, Fuller, Fulton, Gibbons, Graham, Grant, Graves, Harris, Hearn, John, Kelly, Killebrew, Knight, Kyle, Laugley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, Ott, Patton, Perry, Pro well, Rabb, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Savage, Scarborough, Smith of Autauga, Smith of Buttler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Wheelless, Whitten; Williams of Bullock, Williams of Henry.—75.

H. 91. To amend an act entitled an act to incorporate the Mobile Gas Light and Coke Company, approved February 23rd, 1866,

The following amendments was adopted :

Amend Section 4 by inserting therein the word "unlawfully" in the fourth line after the word "willfully" and before the word "open,"

And the bill was read a third time at length, and passed—yeas 69, nays 0.

Yeas.—Messrs. Banks, Beeson, Boykin, Brooks, Brown, of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Franklin, Fuller, Fulton, Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Meador, Mahan, Mills, Mixon, Moore, McClusky, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Savage, Scarborough, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Taylor, Wheelless, Williams of Henry.—69.

H. 72. To incorporate the Presbytery of North Alabama,

Was -read a third time at length, and passed—yeas 72, nays 0.

Yeas.—Messrs. Beasley Beeson, Boykin, Brooks; Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Coleman, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham,

Graves, Harris, Hearn, Jinks, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, O'Brien, Ott, Patton, Perry, Rabb, Rand/Roach, Robinson, Rogers, Rowe, Routon, Scarborough, Smith of Autauga, Smith of Butler, Smith of Mobile, Taylor, Turner, Wheelless, Whitten, Williams of Bullock, Williams of Henry.—67.

H. 69. To amend section (320) three hundred and twenty of the code of 1886.

The following amendments were adopted :

Amend by inserting the words, "except treason" after the word act in the 5th, line of the proviso, also amend by striking out twenty and inserting 50 in the eighth line of the proviso.

And the bill was read a third time, at length, and passed—yeas 38, nays 27.

Yeas—Messrs. Boy kin, Brooks, Brown of Conecuh, Calhoun, Camp, Cole, Coleman, Cook of Wilcox, Curtis, Dale, Deans, Fleming, Fletcher, Fulton, Graham, Grant, Graves, Harris, Hearn, John, Kelly, Kennedy, Lipscomb, Mastin, Mayfield, Meador, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Rogers, Routon, Scarborough, Seale, Smith of Mobile, Turner, Whitten, Williams of Henry—38.

Nays—Messrs. Brown of Russell, Burks, Cameron, Cook of Talladega, Davis, Forman, Franklin, Fuller, Gibbons, Hill, Killebrew, Knight, Kyle, Langley, Maples, Meadows, Mahan, Mills, Mixon, Montgomery, McClusky, Roach, Savage, Smith of Greene, Summers, Taylor, Wheelless, Williams of Bullock—27.

H. 11. To amend section 997 of the code as to the county of Clarke,

Was read a third time, at length, and passed—yeas 70, nays 0.

Yeas—Messrs. Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Graham, Grant, Graves, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, McClusky, McQueen, O'Brien,

Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robbins, Rogers, Rowe, Savage, Scarborough, Seale, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Wheelless, Whitten, Williams of Bullock, Williams of Henry—70.

H. 21. To incorporate the Bailey Springs University for the higher education of women,

Was read a third time, at length, and passed—yeas 68, yeas 0.

Yeas—Messrs. Speaker, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Burks, Calhoun, Cameron Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Jinks, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Manning, Maples, Meador, Meadows, Mahan, Moore, McClusky, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Savage, Scarborough, Seale, Smith of Greene, Summers, Taylor, Tuck, Turner, Wheelless, Williams of Bullock, Williams of Henry—68.

Nays—Messrs. Brown of Russell, Graves, Hearn.

On motion the house adjourned till 10 a. m. to-morrow.

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ELEVENTH DAY.

HOUSE OF REPRESENTATIVES,

November 24, 1894.

The house met pursuant to adjournment.

Prayer by the Rev. Dr. Rush of the city,

A quorum was present.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Was granted to Mr. Dale for two days, and to Messrs. Sanford, Mixon, Ronten, Jinks and Boykin for one day.

11 h

## REPORT OF COMMITTEE ON JOINT RULES.

The joint committee on rules, reported the following :

## JOINT RULES OF THE TWO HOUSES OF THE GENERAL ASSEMBLY OF ALABAMA.

1. Upon the reception of a message from either house notifying the other of the originating and passing of bills, the secretary or clerk, as the case may be, shall, immediately after the message is read, proceed to read the bills by their titles, unless the reading be called for by some member, in which event the bill shall be read at length, and it shall be ordered forthwith to a second reading, or referred to a committee. The house or senate, as the case may be, shall then proceed with the business upon which it was engaged when the message was received.

2. When house or senate bills are signed, by the speaker or president of the senate, thereupon the clerk or secretary, as the case may be, shall notify the other house and request the signature of the presiding officer to the same ; and as soon as the message is read, the presiding officer shall immediately sign the bills in the presence of the house or senate, as prescribed by the constitution.

3. That no local or special bill shall be introduced into either house unless the member who introduces it discloses at the time the fact that the notice required by the constitution and laws has been given, and submits the proof thereof with the bill.

4. No bill shall be introduced into either house for the creation of any corporation, not educational, eleemosynary or religious in its purposes, by any special act of the general assembly of Alabama unless a receipt from the treasurer of the state, evidencing the payment of the fee, or license, required by law, accompanies such bill.

5. Bills affecting individuals or private corporations are local or special bills within the meaning of the preceding rule 3, but said rule does not apply to bills relating to public or educational institutions of, or in this

state, or to industrial, mining, immigration or manufacturing corporations, or interests, or to corporations for constructing canals, or improving navigable rivers and harbors of this state; nor to bills which apply to all persons within the territorial limits to be affected thereby, and general in their application to the class or locality..

6. All bills for amendment to any section or part of the code, in which the subject matter is stated in the title by reference to the section or other sub-division of the code, must contain on the back of the bill, immediately below the title, a brief statement of the general subject to which such section or sub-division relates.

Which were adopted.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

The committee on engrossed bills report the following bills correctly engrossed :

No. 11, 19, 38, 69, 151, 17, 30, 32, 91, 103, 105.

CHAS. A. WHITTEN,  
Chairman.

Resolutions were introduced,

By Mr. Mayfield—

Resolved by the house the senate concurring, That a committee of five consisting of two members from the senate and three from the house be appointed to prepare a bill providing for the appointment of commissioners and all things else necessary to recodify the laws and statutes of Alabama,

Which was referred to the committee on rules.

The committee on rules reported favorably the following resolutions which were adopted :

Resolved, That the clerk of the house-be, and he is, hereby authorized to employ such assistance as may be necessary to efficiently transact the business of his office.

Resolved, That rule 22 be so amended, that it shall provide that the clerk of the committee on local legislation and not the the clerk of the committee, on privileges and elections, shall when not otherwise engaged, serve the

committee on penitentiary and criminal administration..

Resolved, by the house, the senate concurring. That the committees on penitentiary and criminal administration of the house and senate be allowed to visit the penitentiary, the convict farm at Spigener's, Alabama, and the convict mines at Pratt City, and Coalburg, Alabama, and that the time for making such visit shall be designated by the chairmen of the respective committees.

#### RULES.

The committee on rules suggested that the resolution be so amended as to read "five on part of house, and three on part of senate," which was adopted.

Mr. John moved to amend by inserting the word penitentiary, which was adopted.

#### MESSAGE FROM THE HOUSE.

Mr. President:

The senate has organized and passed the following-bills:

s. 2. To authorize the county of Madison to purchase the macadamized roads belonging to the Madison Turnpike Company, and to issue bonds of said county to aid in the purchase of the same;

s. 5. To require the clerk of the circuit court of Choctaw county to make out and keep a general index of the records of his office;

s. 26. To establish the Benton School District in: Lowndes county;

s. 31. To amend an act entitled an act to regulate the trial of misdemeanors in Bibb county, approved Feb-21, 1893;

s. 32. Joint resolution asking a donation from the Federal government of Mt. Vernon barracks to the state of Alabama for a reform school for boys;

s. 52. To require the production of books and writings-in actions at law ;

s. 74. To repeal an act to provide for the drawing and;

organization of grand and petit juries in the county of Wilcox;



s. 75. To prescribe the duty of tax collectors in Bullock county, and to repeal sections 533, 534, 535, and 537 of the code, as to Bullock county ;

s. 8. To establish a new city charter for Phenix City, in Lee county, Alabama, the last named is ordered to the house without engrossment;

And has concurred in the report of the joint committee on joint rules for the two houses of the general assembly.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once, and referred to the committees, as follows :

Judiciary, s. 5, 31, 52, 74.

Local legislation, s. 2.

Education, s. 26.

Ways and means, s. 75.

Corporations, s. 8.

Federal relations, s. 32.

#### INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate committees , as follows:

By Mr. Williams of Bullock—

H. 294. To amend an act for the preservation, of lands and plantations in Bullock county, from depredations by stock, approved February 11th, 1893,

Local legislation;

By M. Ewing—

H. 295. To create a seperate school district in Cherokee county, Alabama, to be known as Taff school district, and to define the boundaries thereof,

Education;

By Mr. Mastin—

H. 296. To repeal an act entitled and act for the preservation of game animals and birds, in the counties of Sumter and Chilton, approved February 23rd, 1887, so far as the same relates to Chilton county,

Local legislation;

By Mr. Hearn—

H. 297. To amend an act for the appointment of township trustees for Choctaw county,

Education ;

By Mr. Beasley—

H. 298. To make all corporations, companies or individuals owning or operating tramroads, canals or ditches, responsible for damages resulting from their negligent use of the same,

Revision of laws;

By Mr. Burks—

H. 299. To regulate the disposition of the poll tax fund,

Ways and means;

Also,

H. 300. To refund to Chas. Grafton, circuit clerk of Cullman county, Alabama, the sum of \$17.50 as overcharges of solicitor's fees,

Appropriations ;

By Mr. Graham—

H. 301. To confirm the incorporation and organization of "The Bank of Selma," and to grant it additional powers,

Corporations :

Also,

H. 302. To authorize and require the board of revenue of Dallas county to issue bonds of the said county to an amount not exceeding \$50,000 for the purpose of enabling said board of revenue to have the public roads of said county put and kept in good condition,

Public roads and highways ;

Also,

H. 303. To provide for the more efficient working of and the improvement of the public roads in Dallas county,

Public roads and highways ;

By Mr. Rabb—

H. 304. To regulate the issue of garnishments and the proceedings therein, before justices of the peace and notary publics ex-officio justices of the peace in the county of Escambia,

Revision of laws;

By Mr. Beeson—

H. 305. To incorporate the Attalla Normal College at Attalla, Etowah county, Alabama,  
Education;

Also,

H. 306. To amend an act to constitute the city of Gadsden a separate school district,  
Education;

By Mr. Knight—

H. 307. To amend section 4057 of the code of Alabama,  
Judiciary ;

By Mr. O'Brien—

H. 308. To secure prompt payment of wages to laborers, mechanics or other wage-earners employed in mining and manufacturing,  
Mining and manufacturing;

Also,

H. 309. To amend section 4191 of the code of Alabama,

Revision of laws;

By Mr. John (by request)—

H. 310. To confirm the charter of the Coaldale Brick and Tile Company, and enlarge its corporate powers,  
Corporations ;

By Mr. Montgomery—

H. 311. To amend sub-division 3 of section 1312 of the code of Alabama relating to the duty and authority of the board of examiners,

Revision of laws;

By Mr. Davis—

H. 312. To abolish the county court of Marion county,  
Judiciary;

By Robinson—

H. 313. To make certain municipal ordinances or by-laws evidence without further proof,  
Judiciary;

Also;

H. 314. To amend an act entitled "An act to regulate the mode of selecting, drawing or empanelling grand and petit jurors for the county of Mobile, approved February 20th, 1883, and to amend section three of an act entitled an act to amend sections six, eight, ten, eleven

and thirteen of an act entitled an act to regulate the mode of selecting, drawing and empanelling grand and petit jurors for the county of Mobile, approved February 20th, 1883,

Judiciary;

Also,

H. 315. To authorize a subscription by the state for a digest of the Alabama Reports.

Appropriations;

By Mr. Smith of Mobile—

H. 316. To amend section. 3613 of the code of Alabama,

Judiciary;

Also,

H. 317. To amend section 3532 of the code of Alabama,

Judiciary;

Also,

H. 318. To amend section 3054 (3465) of the code of Alabama of 1886,

Revision of laws;

By Mr. Sanford—

H. 319. For the protection of certain game birds,

Judiciary;

Also,

H. 320. To authorize the treasurer of the state of Alabama to pay all warrants which have been drawn by the auditor of said state on said treasurer on account of cost bills in penitentiary cases,

Appropriations;

By Mr. Fleming—

H. 321. To establish "the city court of Troy,"

Judiciary;

By Mr. Cameron—

H. 322. To provide for the election of county superintendent of education of Sumter county.

Education;

Also, by request—

H. 323. To amend section 3091 (3496) of the code of 1886,

Revision of laws;

Also, by request—

H. 324. To require the owners of stallions, who keep them for profit, to pay a license for the use of the county in which such stallions are kept,

Ways and means ;

By Mr. Mayfield (by request)—

H. 325. To establish the city court of Ozark.

Judiciary;

By Mr. Gains—

H. 326. To amend section one of an act entitled an act to empower the governor of Alabama to reconvey to the United States a certain tract of land upon conditions described in this act, approved February 28, 1889,

Federal relations;

Mr. Turner—

H. 327. To prohibit the sale, giving away or otherwise disposing of vinous, malt or spirituous liquors within four (4) miles of Culvert Chapel in Washington, Alabama,

Temperance—

Also,

H. 328. To require the board of county commissioners of Washington county, Alabama to divide said county into four commissioners districts, and to subdivide the same into a convenient number of election precincts.

Local legislation;

By Mr. Ford—

H. 329. To amend section one of an act entitled an act to establish a separate school district to be known as the Melville school district, Winston county, Alabama.

Education;

By Mr. McQueen—

H. 330. To establish an immigration commission and to define the powers thereof.

Revision of laws;

By Mr. Hill—

H. 331. For the relief of Francis Mildred Crenshaw and of Edwin Whipple Crenshaw, minors of Montgomery county, from the disabilities of non-age.

Revision of laws;

Mr. Graham moved that 200 copies of H . 303 be printed, which, on motion of Mr. Knight, was tabled.

## BILLS ON SECOND READING.

The chairmen of the several committees reported favorably on the following bills :

H. 230. To prohibit the sale of patent and proprietary medicines not having a formula of the same labelled or printed upon the bottle or package containing such medicine,

(With amendment) ;

H. 246. To amend sections 1,2,4,6 and 9 of an act to regulate the practice of pharmacy and the sale of poisons- in cities and towns of more than 900 inhabitants in the State of Alabama, approved February 28, 1887, and amended by acts approved February 20 and 25, 1889;

H. 177. To exempt from working on public roads the township trustees of free public schools in the county of Clarke,

(With amendment) ;

H. 158. To better provide for the establishment and working of the public roads in Lauderdale county, Alabama;

H. 60. For the relief of M. P. Johnson, of Washington county;

H. 93. To establish a state board of embalming to provide for the better protection of life and health, to prevent the spread of contagious diseases and to regulate the practice of embalming and the care and disposition of the dead;

H. 204. To provide for the better support and maintenance of the public schools of St. Clair county;

H. 250. To create a separate school district in the city of Jasper, Alabama, to define the boundaries thereof and provide for the maintenance of school therein ;

H. 227. To repeal an act entitled an act to make four wires a lawful fence in a certain portion of Lawrence county, and to provide for the building and keeping up of a lawful fence along the line between townships 4 and 5;

H. 228. To create four commissioners districts in Lee county, Alabama, and to provide for the election of four commissioners thereof;

H. 221. To establish a separate school district to be known as Reynold's school school district, in Henry-county ;

H. 180. To relieve W. J. and M. D. Still, of Elmore county, Alabama, of the disabilities of non-age ;

H. 199. To abolish the city court of Decatur and to transfer all the civil cases at law and the criminal cases therein pending, together with all the dockets, papers and books relating to said cases in said city court, to the circuit court of Morgan county, Alabama, and to transfer all the cases now pending upon the equity docket of said city court, together with all the dockets, papers and books of every kind whatsoever, to the court of chancery of the county of Morgan.

The above and foregoing bills were severally read a Second time, and placed on the calendar.

#### MESSAGE FROM THE SENATE.

Mr. President:

The senate has originated and passed the following bill, and ordered the same forthwith to the house without engrossment:

s. 15. To amend an act entitled an act to establish a city court for the county of Talladega, approved February 23, 1893.

W. L. CLAY,  
Secretary.

Mr. Cook, of Talladega, moved that the above senate bill be tabled. Lost. And the bill was read one time and referred to the judiciary committee.

#### GOVERNOR'S MESSAGE.

OFFICE OF THE GOVERNOR,            }  
MONTGOMERY, ALA., November 24th, 1894. }

To the General Assembly:

You have been advised in the biennial message of the negotiations made with the New York Security and Trust Company to protect the credit of the State, and to provide funds to meet warrants drawn on the appropriations already made for the current expenses of the government between the close of the last fiscal year and the first of January, next, including the January instalment of interest on the public debt. To accomplish this, I

made a loan of one hundred thousand dollars on the first of October, 1894, giving the note of the State therefor, as authorized by statute. I also contracted with the Trust Company to take a transfer of \$50,000 of warrants on the 15th October, 1894; also to take a transfer of \$100,000 more of warrants on the 1st November, 1894; also to take a transfer of warrants and hold interest coupons together to the amount of \$250,000 on the 1st January, 1895. It was agreed to discharge these obligations, as follows :

To pay \$50,000 of the transferred warrants on the 20th January, 1895 ; pay note of \$100,000 on the 20th February, 1895 ; pay \$50,000 of transferred warrants on 20th March, 1895; pay \$150,000 of transferred warrants and interest coupons on the 20th April, 1895, and pay \$150,000 of interest coupons on the 20th of May, 1895.

The taxes for the present calendar year, 1894, the bulk of which will begin to reach the treasury early in 1895, will put the treasury in funds to meet all these demands.

Pursuing the mode adopted in former fiscal years in dealing with these deficits, for which sub-division 31 of the general appropriation act provided, the means, I agreed, for the state, to pay 6% interest per annum for this loan, and upon the amount used in taking up the warrants and coupons. The amount of the present appropriation expires on the 31st of December. It will, therefore be necessary for you to make further appropriations therefor. As the first instalment of this interest is payable at a date at which you may not be in session, or if in session, too close to enable you to make provision for its payment before it falls due, I recommend that the appropriation be made now, instead of waiting until after the recess. The interest which the state will pay under this arrangement, including the exchange, will be \$12,383.36.

It is perhaps needless to remark that while the amount arranged for is considerably larger than the deficit at the end of the last fiscal year, it is due to the fact that on the first day of January, 1895, there are large demands, including the semi-annual interest. In former years, there was a surplus in the treasury out of which such payments could be made, while waiting the collection of the calendar year's taxes, out of which the appropriations



were payable. As there is now no surplus in the treasury, and as these payments are for obligations to be met out of the taxes of the calendar year, 1894, the bulk of which cannot be collected and reach the treasury until after the first of January, 1895, it is necessary to make the provision herein suggested.

THOS. G. JONES, Governor.

On motion the above message was referred to the committee on appropriations.

Mr. Forman moved to print 150 copies of the message, but on motion of Mr. Knight the motion was tabled.

#### GOVERNOR'S MESSAGE.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT, }  
 OFFICE OF THE GOVERNOR, }  
 MONTGOMERY, November 24th, '94. }

To the General Assembly:

On the first of October, 1892, a band of unknown men the night time invaded the residence of William Philyaw, in the county of Conecuh, and beat him, his wife and two children under circumstances of peculiar atrocity. Philyaw's collar bone was broken, and Mrs. Philyaw's right arm was broken and she received other serious wounds. The beating was done in pursuance of a conspiracy to punish Philyaw for the exercise of his political opinions and rights and at a time of intense political excitement, and being, perhaps, the forerunner of other outrages of a like kind, I offered the highest statutory reward for the arrest and delivery to the sheriff of the guilty parties. The proclamation recited that the criminals invaded the home of Philyaw and did beat and maim him, did also beat and maim his wife and beat and whip their children. It did not escape me that the governor had no authority to offer a reward for the conviction of unknown parties in misdemeanor cases, hence the word maim was used.

The word maimed, used in the proclamation, has a well defined significance, both in criminal law and in common acceptance, and is equivalent to depriving a-

person of such parts of his body as to render him less able to defend himself or disabling him so as to make him less fit for fighting, etc. In other words, the rewards were offered for the offense of mayhem, which, is a felony.

Learning that the parties were known the reward was revoked, but Bob Rushton, John Kyser and Pomfrey Booker had been arrested and committed to jail before the revocation of the reward. They were afterwards convicted of simple assault and battery with a rail or stick, upon an indictment which charged that offense.

On presentation of the claim for twelve hundred dollars for the reward of the three persons so convicted, I did not allow it, not only for the reason that the appropriation for that year had been exhausted, but for the further reason that the parties had not been convicted of a felony. It was suggested to the claimant, W. L. Stallworth, however, to make his claims to the general assembly, and I now present a copy of the proclamation, the sheriff's receipt for the prisoners, a copy of the indictment, with the certificate of the clerk as to the conviction of the parties and a statement from Stevens, who was then solicitor of the circuit.

I do not think the state is bound for the twelve hundred dollars reward, but I think it would be equitable and just to make a reasonable compensation to Mr. Stallworth, and recommend legislation accordingly.

THOS. G. JONES, Governor.

On motion the above message was referred to the judiciary committee.

#### BILLS ON THIRD READING.

H. 63. To amend section one of an act to incorporate the male and female academy located in the town of Leighton, Lawrence county, Alabama, approved February 28, 1889,

Was read a third time, at length, and passed.

Yeas 63, nays 0.

Yeas:

Messrs. Banks, Beasley, Beeson, Brown of Conecuh, Brown of Russell, Burks, Cameron, Cole, Cook of Talla-

dga, Davis, Deans, Ewing, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, John, Kelly, Kennedy, Kyle, Langley, Manning, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Montgomery, McClusky, McQueen, Ott, Patton, Rabb, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Taylor, Turner, Williams of Bullock, Williams of Henry—63.

H. 113. To establish a separate school district to be known as the Union Hill school district in Henry county,  
Was read a third time, at length, and passed.

Yeas 67, nays 0.

Yeas—Messrs. Banks, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Cameron, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deans, Ellis, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Hearn, Hill, Kelly, Kennedy, Killebrew, Knight, Langley, Manning,, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Prowell, Rand, Roach, Robinson, Rogers, Rowe, Scarborough, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Willett, Williams of Bullock—67.

H. 169. To amend an act entitled an act to incorporate and establish a charter for the town of Childersburg, in the county of Talladega, approved February 25th, 1889,

Was read a third time, at length, and passed.

Yeas 66, nays 0.

Yeas :

Messrs. Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cole, Coleman, Cook of Wilcox, Curtis, Davis, Deans, Ewing, Fielding, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Hearn, Hill, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Manning, Mastin, Mayfield, Meador, Meadows, Mahan, Moore, McClusky, McQueen, O'Brien, Ott, Patton, Rabb, Rand, Reaves, Roach, Robbins, Robinson,

Rogers, Rowe, Savage, Scarborough, Screws, Seale. Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Taylor, Turner, Wheelless, Willett, Williams of Bullock—66.

On motion of Mr. Fletcher H. 24 was passed informally not to lose its place on calendar.

H. 89. To prohibit the sale, giving away or otherwise disposing of any alcoholic, vinous or malt liquors, or other intoxicating drinks, or beverages, within four miles of the Methodist Episcopal church South in Triana, and the Methodist Episcopal church South known as Wilson's Chapel, and the Methodist Episcopal church known as New Centre Grove all situated in Madison county; Alabama,

Mr. Fletcher offered the following amendments : Amend by adding McDonnell's chapel in the caption and body of bill: The amendment was adopted and the bill,

Was read a third time at length, and passed.—yeas 62, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Cameron, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deans, Ewing, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Grant, Graves, Harris, Hearn, Hill, Kelly, Kennedy, Killebrew, Knight, Laugley, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Moore, McClusky, McCorvey, O'Brien, Ott, Patton, Prowell, Rabb, Reaves, Robinson, Rogers, Rowe, Screws, Seale, Smith of Autauga, Smith of Mobile, Summers, Taylor, Tuck, Turner, Wheelless, Williams of Bullock.—62.

H. 130. To prohibit the sale, or bartering, of any spirituous, vinous, or malt liquors, or any alcoholic bitters, cordials, or beverages of any kind within three miles of Bethel church situated in beat 4, Lee county, Alabama;

Was read a third time at length, and passed.—yeas 71, nays 0.

Yeas :

Messrs. Speaker, Beasley, Beeson, Billinger, Brooks. Brown of Conecuh, Brown of Russell, Burks, Cameron, Camp, Cole, Cook of Wilcox, Curtis, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin,

Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Manning, Maples, Mastin, Mayfield, Meadows, Mahan, Mills, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Prowell, Rabb, Rand, Reaves, Roach, Robbing, Robinson, Rogers, Sanford, Savage, Scarborough, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Wheelless, Williams of Bullock—71.

H . 56. To regulate and prescribe the manner of electing county commissioners of Calhoun county,

The following amendment was adopted :

Amend so as to include Marshall county,

And the bill as amended.

Was read a third time at length, and passed.—yeas 69, nays 0.

Yeas:

Messrs. Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Cameron, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deans, Ellis, Ewing, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Meador, Meadows, Mahan, Mills, McClusky, McCorvey, McQueen, O'Brien, Ott, Prowell, Rand, Robbins, Robinson, Rogers, Routon, Savage, Scarborough, Seale, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Wheelless, Willett, Williams of Bullock—69.

H. 23. To provide for the election of county superintendent of education of Lowndes county ;

Was read a third time at length, and passed—yeas 68, nays 0.

Yeas:

Messrs. Banks Beasley Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cole, Cook of Talladega, Curtis, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Grant, Graves, Harris, Hearn, Hill, Kelly, Kennedy, Killebrew, Knight,

12 h

Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Moore, McClusky, McCovey, McQueen, O'Brien, Ott, Prowell, Rand, Reaves, Roach, Robinson, Rogers, Savage, Scarborough, Seale, Smith of Autauga, Smith of Greene, Tuck, Turner, Wheelless, Willett, Williams of Bullock—68.

#### SPECIAL GUIDES.

On motion of Mr. Montgomery, H. 77 was made a special order for the second day after the recess.

H. 49. To repeal an act entitled an act to authorize the sheriff of Washington county by virtue of his office to collect the state and county taxes thereof and to perform generally all the duties required by law of the tax collector, approved February 10, 1875,

Was read a third time at length and passed—yeas 64, nays 0.

Yeas:

Messrs. Beasley, Beeson, Brooks, Brown of Conecuh, Burks, Cameron, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gibbous, Graham, Grant, Graves, Harris, Hearn, John, Kelly, Kennedy, Knight, Langley, Lipscomb, Maples, Mastin, Meador, Mahan, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Prowell, Rand, Reaves, Roach, Robinson, Rogers, Rowe, Savage, Scarborough, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Willett, Williams of Bullock—64.

H. 61. To amend an act entitled an act to better provide for the indigent poor people of Clarke county, approved December 12, 1892,

Was read a third time at length and passed—yeas 66, nays 2,

Yeas:

Messrs. Speaker, Beasley, Beeson, Brooks, Brown of Russell, Burns, Cameron, Cole, Cook of Talladega, Cook of Wilcox, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Franklin, Fuller, Fulton, Gains, Gibbons, Gra-

ham, Grant, Graves, Harris, Hearn, Hill, John, Kennedy, Knight, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mahan, Mills, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rabb, Reaves, Roach, Robbins, Robinson, Rogers, Savage, Scarborough, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Wheelless, Willett, Williams of Bullock—66.

Nays:

Messrs. Banks and Burks—2.

H. 80. To divide all beats and precincts having more than one voting place, and make separate beats of each voting place, and provide for the same so far as the same pertains to Lauderdale county,

Was read a third time at length, and passed—yeas 55, nays 5.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Cook of Wilcox, Curtis, Davis, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Hearn, Hill, John, Kelly, Kennedy, Lipscomb, Maples, Mayfield, Meadows, Mahan, Moore, McClusky, McCorvey, O'Brien, Ott, Patton, Perry, Prowell, Rand, Reaves, Roach, Robinson, Rogers, Rowe, Scarborough, Seale, Smith of Autauga, Smith of Mobile, Summers, Tuck, Turner—55.

Nays:

Messrs. Cole, Harris, Langley, Taylor and Williams of Bullock—5.

On motion, the house adjourned till to-morrow morning at 10 o'clock.

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TWELFTH DAY.

HOUSE of REPRESENTATIVES,

Nov. 26, 1894.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Rush, of the city.

A quorum present.

The journal of yesterday was read and approved.

## LEAVES OF ABSENCE.

Leaves of absence were granted for one day to Messrs. O'Brien, McCorvey and Knight.

## RESOLUTIONS.

Mr. Rabb offered the following resolution which was read and referred to the committee on rules :

Resolved, That from and after Tuesday, the 27th, this house do meet at 10 o'clock a. m., and adjourn at 1 o'clock p. m: meet at 3 o'clock p. m., and adjourn at will.

## REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

The committee on engrossed bills report the following: bills correctly engrossed :

H. 23, 49,56, 61,63, 80,89,113,130,169.

CHAS. A. WHITTEN, Chairman.

## JOINT RESOLUTION.

By Mr. McClusky—

Resolved by the House of Representatives, the senate concurring, That a committee of five from this house and three from the senate be appointed, whose duty it shall be to investigate the present road laws and the operation of the same in the various counties of this State, and said committee shall report back to this house the result of their investigation together with such recommendations as in their judgment, would better the present system of road laws,

Which was adopted;

Committee on part of the House—

Messrs. McCluskey, Fulton, Hill, Brown of Russell, and Patton.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has originated and passed the following;



bills and ordered the same sent to the house without engrossment :

s. 16. To regulate practice and procedure in the circuit court in Talladega county in this state ;

s. 87. To amend sections 5,9 and 10 of an act entitled an act to provide a new charter for the city of Tusculumbia, approved February 28, 1887;

s. 77. To create a new charter for the town of Heflin, Cleburne county;

And has originated and passed the following bills :

s. 9. To authorize the board of revenue of Montgomery county to issue bonds of said county for an amount not exceeding three hundred thousand dollars, for the purpose of building and improving the public roads of the county, upon a permanent and well considered system, and for erecting bridges in said county;

s. 28. To authorize the commissioners court of Conecuh county to issue bonds of said county, not to exceed in amount the sum of ten thousand dollars, for the purpose of paying the outstanding indebtedness of said county, incurred in the building of a jail, and for the purpose of buying additional grounds, repairing the court house and jail and improving the grounds, building, fences, etc.;

s. 19. To make Muscle Shoals Canal in Lauderdale county a lawful fence;

s. 56. To make fences built with barbed wire in Mobile county lawful fences, and to fix the way in which such fences may be built;

s. 60. To amend an act entitled an act "To amend subdivision 28 of section 629 of the code;

s. 82. To protect fish in Deer river, East Fowl river, West Fowl river, and the tributaries of those streams in Mobile county;

And has originated and passed the following bill and ordered the same to the house without engrossment:

s. 96. To regulate the practice and proceedings in civil cases in the circuit courts of Colbert and Lauderdale counties in this state, and in the supreme court on appeals from judgment rendered in such cases,

And has adopted a joint resolution herewith sent, authorizing the joint committee heretofore raised to prepare for the inauguration of Governor-elect Wm. C. Oates, to

expend a sum not exceeding one hundred dollars, which shall be paid out of the fund appropriated for legislative-expenses.

W. L. CLAY, Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees as follows :

- To the judiciary, s. 16, 96;
- To corporations, s. 87, 77;
- To public roads and highways, s. 9;
- To local legislation, s. 28, 56, 82;
- To revision of laws, s. 19;
- To ways and. means, s. 60.

#### INTRODUCTION OF\_BILLS.

On a call of-the counties bills were introduced, severally read one time, and referred to appropriate committees, as follows :

By Mr. Smith of Autauga—

H. 332. To amend section 4796 of the code,  
Judiciary;

By Mr. Bellinger—

H. 333. To amend section 533 of the code,  
Local legislation;

By Mr. Grant—

H. 334. To fix the fees of the judge of the county  
court of Clarke county,  
Local legislation;

Also,

H. 335. To repeal an act entitled "an act to regulate  
the-practice in the circuit court of Clarke county, and to  
provide for the times of holding the circuit court in  
Clarke county," approved February 21, 1893,  
Judiciary;

Also,

H. 336. To provide a clerk for the county court of  
Clarke county, and to regulate his fees,  
Revision of laws;

Also,

H. 337. To repeal an act entitled, "an act to regulate trials by juries, in the county court of Clarke county," approved February 16, 1891,

Revision of laws ;

Also,

H. 338. To repeal an act entitled "an act in relation to trials for misdemeanors in Tuscaloosa and other counties therein named," approved March 19, 1875, so far as the same applies to Clarke county, and to provide for the disposition of certain cases now pending in the county court of Clarke county,

Revision of laws ;

By Mr. Robbing—

H. 339. To provide for special election to fill vacancies in county offices in Coosa county,

Privileges and elections ;

By Mr. Franklin, (by request)—

H. 340. To extend the provisions of an act entitled an act for the relief of maimed confederate soldiers and sailors, residents of Alabama, who from wounds or other causes are now unable to earn a livelihood and for the widows of such as were killed or died in said war and have not since re-married, approved February 13th, 1891, so far as relates to the time of filing written application,

Appropriations ;

Also,

H. 341. To limit and define the ex-officio fees of the judge of probate, sheriff and circuit clerk of DeKalb county,

Revision of laws ;

By Mr. Rabb, (by request)—

H. 342. To establish a charter for the town of Seairight, in Crenshaw county, Alabama,

Corporations;

By Mr. Williams of Henry—

H. 343. To prohibit the sale or giving away of alcoholic, spirituous, vinous or malt liquors in Henry, Dale and Geneva counties, within five miles of the Dothan High School in Henry county, except it be within the limits of police jurisdiction,

Temperance;

By Mr. Ward—

H. 344. To fix the time of pleading in the third judicial circuit of Alabama,

Judiciary;

By Mr. Fulton, (by request)—

H. 345. To constitute Woodlawn (a municipal corporation), in Jefferson county, a road district, and to provide for the working of the public roads therein,

Judiciary;

By Mr. John—

H. 346. To establish a court of county revenue for Chilton county,

Local legislation;

By Mr. McClusky—

H. 347. To give to blacksmiths and wood workmen a prior lien on crops in the county of Lamar,

Revision of laws ;

Also,

H . 348. To authorize the court of county commissioners of Lamar county to issue the bonds of the county, not exceeding three thousand dollars, to repair court house and jail of said county,

Local legislation;

By Mr. Ott—

H. 349. To amend an act entitled an act to amend sub-division 31 of section 629 of the code of Alabama, approved February 16, 1894,

Ways and means ;

By Mr. Summers—

H . 350. To regulate the election of county commissioners in Lawrence, Blount, Geneva, Cullman and Winston counties,

Privileges and elections;

By Mr. Fletcher—

H. 351. To amend section three (3) of an act entitled an act "to define and prescribe a lawful fence in certain portions of the county of Madison," approved February 28th, 1889,

Agriculture ;

By Mr. Brooks—

H. 352. To repeal sections nine and ten of an act of the general assembly of Alabama, approved February 19th, 1883, and entitled an act to incorporate the Bien-

ville Water Supply Company,  
Corporations;

By Mr. Robinson—

H. 353. To authorize the separate redemption of undivided interests in real estate sold for taxes, when the time for redemption has expired as to one or more of the owners,

Judiciary;

By Mr. Screws, (by request)—

H. 354. To refund to Mrs. N. E. Young one hundred and twenty (\$120) dollars, paid into the state treasury by her for the purchase of certain lands which had been bid in by the state for taxes, but which were erroneously so sold and bid in,

Appropriations;

By Mr. Willett—

H. 355. Petition from commissioners of Pickens county, in reference to convicts of said county,

Penitentiary and criminal administration ;

By Mr. Deans—

H. 356. To regulate and prescribe the amount of the pay and compensation of circuit court solicitors and other solicitors, who are paid by the state,

Appropriations ;

By Mr. Brown of Russell—

H. 357. To amend section 234 of the code,

Ways and means;

By Mr. Cook, of Talladega—

H. 358. To provide for the transfer of cases or suits pending in inferior court of record of this state when the act creating such court has been repealed,

Judiciary;

Also,

H. 359. To repeal an act "to establish a city court for the county of Talladega," approved February 15th, 1893,

Judiciary;

By Mr. Langley, (by request)—

H. 360. To amend section three of an act entitled an act to amend sections three, four, seven, eight, eleven, twelve and thirteen of an act entitled an act to incorporate the town of Dadeville, in Tallapoosa county, approved January 16th, 1879," which amendatory act was approved February 18th, 1891,

Corporations ;

By Mr. Patton—

H. 361. To authorize the commissioners court of Tuscaloosa county to establish districts in which stock may be prevented from running at large,

Local legislation ;

By Mr. Rabb—

H. 362. To amend section 3611 of the code of Alabama,

Judiciary;

By Mr. Tuck—

H. 363. To allow a county surveyor of any county in this state to act as county surveyor of an adjacent county under certain conditions,

Local legislation ;

By Mr. Sanford, (by request)—

H. 364. To provide a penalty against any county court judge or judge of any county court for failure to hold court and to prescribe how such penalty shall be enforced,

Judiciary;

Also,

H. 365. To authorize suits to be brought against receivers without the previous leave of court,

Judiciary;

Also, (by request)—

H. 366. To amend an act to require all corporations to pay a fee or license for the use of the state before commencing business in this state, approved February 18th, 1893,

Corporations ;

Also, (by request)—

H. 367. For the relief of the Philadelphia Mortgage and Trust Company, of Philadelphia, Pa., and the British and American Mortgage Company, Limited, of London, England,

Judiciary;

#### BILLS ON SECOND READING.

The chairmen of the several committees reported favorably on the following bills :

H. 183. To amend section 968 of the code of Alabama

so as to change the date from the last Monday in October to second Monday in September;

H. 232. To incorporate the Huntsville District High School in New Market, Madison county, Alabama.

(With substitute;)

H. 229. To prohibit the playing or engaging in games of pool, billiards, dominoes or any other game of chance or amusement within any building, or within one hundred feet of any place where spirits, malt or vinous liquors, or intoxicating bitters or any other intoxicating beverage or drink is sold, given away or otherwise disposed of;

H. 46. To provide for the compensation for the county solicitor for Tuscaloosa county ;

H. 47. To provide for the payment of claims against the fine and forfeiture fund of Tuscaloosa county;

H. 142. To authorize the commissioners of roads and revenues of Tuscaloosa county to levy and collect a special tax for the purpose of erecting and maintaining public buildings and bridges for said county;

H. 207. To repeal an act to abolish the office of tax collector in the counties of Baldwin, Escambia and Sanford, so far as the same relates to Baldwin county;

H. 254. To regulate the payment of claims against the fine and forfeiture fund of Geneva county;

H. 268. To prevent all persons from hunting upon the inclosed lands of the residents of Geneva county, except by written permission of the occupant of the inclosed premises;

H. 294. To amend an act for the preservation of lands and plantations in Bullock county from depredations by stock, approved February 11, 1893;

H. 296. To repeal an act for the preservation of game animals and birds in the counties of Sumter and Chilton, approved February 23, 1887, so far as the same relates to Chilton county ;

H. 328. To require the board of county commissioners of Washington county, Alabama, to divide said county into four commissioners districts and to subdivide the same into a convenient number of election precincts ;

s. 112. To amend section 4331 of the Code of Alabama so far as the same relates to Montgomery county ;

s. 10. To amend section 2 of an act to regulate the drawing and summoning of jurors in the county of Montgomery, approved February 21st, 1898;

s. 2. To authorize the county of Madison to purchase the macadamized roads belonging to the Madison Turnpike Company, and to issue bonds of said county to aid in the purchase of the same;

H. 241. To make appropriations for the payment of sheriffs for the feeding and removal of prisoners for the years ending September 30th, 1893, and September 30th, 1894, respectively ;

H. 249. For the relief of F. A Gamble, ex-probate judge of Walker county, Alabama;

H. 292. To appropriate the sum of thirty-three dollars to pay J. R. Stegall for boarding state witnesses in the impeachment trial of John B. Tally.

H. 293. To appropriate the sum of three hundred and fifty dollars to pay Richard W. Walker for professional services rendered the state, under contract with the Governor, in the impeachment trial of John B. Tally.

The above and foregoing bills were severally read a second time and placed on the calendar.

H. 114 and 218 were permitted to be withdrawn by the gentlemen who introduced them.

#### BILLS ON THIRD READING.

H. 82. To establish a board of revenue for Lowndes county, and define the powers and duties of said board of revenue,

Was read a third time at length, and passed—yeas 69, nays 1.

Yeas :

Messrs. Speaker, Banks, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Cook of Wilcox, Curtis, Davis, Deans, Ellis, Ewing, Fielding, Fletcher, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jackson, Jinks, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mixon, Montgomery, Moore, McQueen, Ott, Perry, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Sanford, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Turner, Ward, Willett, Williams of Bullock, Williams of Henry—69.



Nays:

Mr. Beasley—1.

H. 90. To regulate the fine and forfeiture fund of Marshall county,

Was read a third time, at length.

On motion of Mr. Hearn, the vote by which the bill was ordered to a third reading was reconsidered.

Mr. Hearn moved to amend the bill so as to include-Choctaw county. Carried.

And the bill was read a third time, at length, and passed—yeas 62, nays 5.

Yeas :

Messrs. Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deans, Ellis, Ewing, Fletcher, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jackson, Jinks, John, Kelly, Langlely, Maples, Mastin, Meador, Meadows, Mahan, Mills, Mixon, McClusky, Ott, Perry, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—62.

Nays:

Messrs. Hill, Mayfield, Seale, Taylor, Willett—5.

H. 94. To amend an act to provide for the appointment of an official stenographer for the circuit and chancery courts in the county of Mobile and the city court of the city of Mobile, and to define his duties and regulate his compensation, approved February 12th, 1879,

Was read a third time, at length.

On motion of Mr. Brooks, the vote by which the bill was ordered to a third reading was reconsidered.

Mr. Brooks moved to amend the bill, as follows :  
Strike out "six" and insert four (4) in next to last line, of paragraph one, of first section ; and the motion was carried,

And the bill was read a third time, at length, and passed—yeas 58, nays 6.

Yeas:

Messrs. Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron,

Camp, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Ewing, Fielding, Fletcher, Fuller, Fulton, Gibbons, Graves, Jackson, Jinks, John, Kelly, Kennedy, Langley, Manning, Maples, Mastin, Meador, Meadows, Mahan, Montgomery, Moore, McQueen, Ott, Patton, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Rowe, Routon, Sanford, Scarborough, Seale, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Whitten, Willett, Williams of Bullock, Williams of Henry—58.

Nays :

Messrs. Cole, Ellis, Franklin, Harris, Mills, Taylor—6.

H. 104. For the preservation of fish, game and birds in the county of Bullock,

Was read a third time, at length, and passed—yeas 65, nays 8.

Yeas :

Messrs. Speaker, Beasley, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cook of Talladega, Cook of Wilcox, Curtis, Deans, Ellis, Ewing, Fielding, Fletcher, Ford, Franklin, Fuller, Fulton, Gains, Gibbons, Grant, Graves, Harris, Hearn, Hill, John, Kelley, Langley, Maples, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McQueen, Ott, Patton, Perry, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Routon, Sanford, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Tuck, Turner, Ward, Willett, Williams of Bullock, Williams of Henry.—65.

Nays :

Messrs. Banks, Beeson, Cole, Davis, Jackson, Jinks, Smith of Greene, Taylor—8.

H. 108. To regulate the election of county commissioners for Covington county,

Was read a third time, at length, and passed—yeas 74, nays 1.

Yeas :

Messrs. Beasley, Beeson, Bellenger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deans, Ellis, Ewing, Fleming, Fletcher, Ford, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Graves, Harris, Hearn, Hill, Jackson, Jinks,

John, Kelly, Kennedy, Langley, Manning, Maples, Mastin, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, McClusky, McQueen, Ott, Patton, Perry, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—74.

Nays:

Mr. Willett—1.

H. 109. To authorize the judge of probate and commissioners court of Covington county to lay off said county into four commissioners districts,

Was read a third time, at length, and passed—yeas 80, nays 2.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deana, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, Jackson, Jinks, John, Kelly, Kennedy, Langley, Lipscomb, Manning, Maples, Mastin, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McQueen, Ott, Patton, Perry, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—80.

Nays:

Messrs. Seale and Willett—2.

H. 140. To authorize the mayor and councilmen of Troy to issue bonds of said city for an amount not exceeding thirty thousand dollars, for the purpose of making and improving streets, establishing sewerage for said city, and in paying whatever outstanding, floating (not bonded) indebtedness said city may have at the passage of this act,

Was read a third time, at length.

Mr. John moved to reconsider the vote by which the bill was ordered to a third reading. Carried.

Mr. John offered the following amendment. Strike out, in section one, the following words : "Said bonds and coupons being payable in gold of the present standard weight and fineness," which motion was adopted.

And the bill

Was read a third time, at length, and passed—yeas 77, nays 4.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Burks, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Harris, Hearn, Hill, Jackson, Jinks, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Meador, Meadows, Mahan, Mixon, Montgomery, Moore, McQueen, Ott, Patton, Perry, Rabb, Rand, Reaves, Roach, Robinson, Rowe, Sanford, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Ward, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry—77.

Nays :

Messrs. Brown of Russell, Graham, Mills, Prowell—4.

H. 27. To provide for the working and improvement of the public roads in Mobile county by contract and to further regulate the working of the roads in said county,

Was read a third time, at length, and passed—yeas 77, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Harris, Hearn, Hill, Jackson, Jinks, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Manning, Maples, Meador, Meadows, Mahan, Mixon, Mills, Moore, McClusky, Ott, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Savage, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene,

Smith of Mobile, Summers, Tuck, Turner, Wheelless, Whitten, Williams of Henry—77.

H. 97. To repeal an act entitled an act to provide for the more efficient working, keeping up repairing and improving the public roads and bridges, and opening and making new roads and bridges in the county of Morgan; to locate and construct and build within the limits of said county, a system of public roads and bridges of a superior grade, to be known and designated as "county roads,"

Was read a third time, at length, and passed—yeas 70, nays 0.

Yeas:

Messrs. Banks, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cole, Cook of Talladaga, Cook of Wilcox, Curtis, Davis, Deans, Ewing, Fleming, Fletcher, Ford, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, Jackson, Jinks, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mastin, Meador, Meadows, Mahan, Mills, Mixon, Moore, McClusky, Ott, Perry, Prowell, Rand, Roach, Robbins, Robinson, Routon, Sanford Savage, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Turner, Wheelless, Whitten, Williams of Bullock, Williams of Henry—70.

H. 134. To repeal an act entitled an act for the protection of fish in Marion county,

Was read a third time, at length, and passed—yeas 71, nays 0.

Yeas:

Messrs. Banks, Barron, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deans, Ewing, Fletcher, Ford, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Graves, Harris, Hearn, Hill, Jackson, Jinks, John, Kelly, Kennedy, Kyle, Langley, Mastin, Mayfield, Meador, Meadows, Mahan, Mixon, Moore, McClusky, Ott, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Rogers, Sanford, Savage, Scarborough, Seale, Smith of Autauga, Smith of Greene,

Smith of Mobile, Summers; Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry—71.

H. 41. To regulate the issue of garnishments and the proceedings thereon in the county of Morgan,

Was read a third time, at length.

On motion of Mr. Kyle, the vote by which the bill was ordered to a third reading was reconsidered.

Mr. Kyle offered the following amendment:

Amend by adding

Sec. 5½. No writ of garnishment shall be issued in any case wherein the justice of the peace or notary public, ex-officio justice of the peace, issuing the writ of garnishment has agreed with the plaintiff or his agent that the plaintiff will not be required to pay costs in the event the costs cannot be made out of the defendant, nor in any case where the justice of the peace is to receive or be allowed a commission or fee for collecting the debt sued for, nor in any case where the attorney of the plaintiff or the law partner of the attorney for the plaintiff is a justice of the peace or notary public, ex-officio justice of the peace in said county, which was adopted;

And the bill

Was read a third time, at length, and passed—yeas 63, nays 4.

Yeas:

Messrs. Beasley Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Calhoun, Camp, Cook of Wilcox, Curtis, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Ford, Forman, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jinks, John, Kelly, Kennedy, Kyle, Langley, Manning, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Sanford, Savage, Scarborough, Taylor, Ward, Whitten, Willett, Williams of Bullock, Williams of Henry—63.

Nays :

Messrs. Cameron, Franklin, Hill, Seale—4.

On motion the house adjourned until 10 o'clock a. m. to-morrow.

## THIRTEENTH DAY.

HOUSE OF REPRESENTATIVES,  
November 27, 1894.

The house met pursuant to adjournment.  
Prayer by Rev. Dr. Davis of the city.  
A quorum was present.  
The journal of yesterday was read and approved.

## LEAVES OF ABSENCE.

Leave of absence was granted to Mr. Rogers for three days.

## RESOLUTIONS.

The following resolutions were introduced and referred to the committee on rules :

By Mr. Whitten—

Resolved, that the engrossing and enrolling clerks be and they are hereby authorized to employ aid to help them in the performance of their duties whenever the same becomes necessary;

By Mr. McQueen—

Resolved by the house, the senate concurring, That the joint committee of the house and senate appointed to prepare for the inauguration of Governor-elect Wm. C. Oates be and is hereby authorized to expend in that behalf a sum not exceeding two hundred dollars, which shall be paid out of the fund appropriated for legislative expenses.

## SPECIAL ORDER.

On motion of Mr. John, H. 225 was made a special order for Friday immediately after the journal.

## REPORT OF THE COMMITTEE ON RULES.

Mr. Brooks from the committee on rules reported favorably upon the following resolution which was adopted :  
Resolved by the house, the senate concurring, That a com-

mittee of five consisting of two members from the senate and three from the house be appointed to prepare a bill providing for the appointment of commissioners and all things else necessary to re-codify the laws and statutes of Alabama;

And also the following joint resolution :

Resolved by the senate, the house of representatives concurring, That the joint committee of the senate and house of representatives appointed to prepare for the inauguration of Governor-elect Wm. C. Oates, be and is hereby authorized to expend in that behalf a sum not exceeding one hundred dollars, which shall be paid out of the fund appropriated for legislative expenses;

Said resolution was put upon its passage, the ayes and nays were demanded and the resolution was lost—yeas 36, nays 59.

Ayes :

Messrs. Speaker, Boykin, Brooks, Cook of Wilcox, Curtis, Fleming, Fletcher, Gewin, Gibbons, Graham, Grant, Graves, Jinks, Lipscomb, Mayfield, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Fatten, Perry, Prowell, Rabb, Rand, Robinson, Sanford, Screws, Seale, Smith of Autauga, Smith of Mobile, Turner, Ward, Whitten, Willett—36.

Nays:

Messrs. Banks, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Gamp, Cole, Colemarn, Dale, Davis, Deans, Ellis, Ewing, Fielding, Ford, Porman, Franklin Fuller, Fulton, Gains, Harris, Hearn, Jackson, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Manning, Maples, Mastin, Meador, Meadows, Mahan, Mills, Mixon, Ott, Reaves, Roach, Robbins, Rowe, Rowton, Savage, Scarborough, Smith of Butler, Smith of Greene, Summers, Taylor, Tuck, Wheelless, Williams of Bullock, Williams of Henry—59.

#### REPORT OF COMMITTEE ON ENGROSSED BILLT.

Mr. Speaker:

The committee on engrossed bills report the following bills correctly engrossed :

H. 27, 41, 82, 90, 94, 97, 104, 108, 109, 134, 140.

CHAS. A. WHITTEN, Chairman,



## REPORT OF COMMITTEE ON ENROLLED BILLS.

November 27th, 1894.

Mr. Speaker:

The committee on enrolled bills report the following bills correctly enrolled :

H. 5. To repeal section four of an act to regulate and prescribe the manner of electing county commissioners of Pike, Bullock, Washington, Baldwin, Butler, Choc-taw, Fayette, Shelby, DeKalb and Pickens counties, ap-proved January 30, 1893;

H. 7. To preserve game animals and birds in the counties of Washington, Clarke and DeKalb ;

H. 8. To amend section 991 of the code, as to the county of Clarke ;

H. 20. To authorize and empower the mayor and board of aldermen of the city of Bessemer to issue bonds of said city for an amount not exceeding one hundred and twenty-five thousand dollars for the purpose of pur-chasing a system of water works for the said city ;

H. 70. To amend subdivision 5 of section 18 of an act to establish a new charter for the city of Bessemer, ap-proved February 21, 1893.

J. H. MONTGOMERY, Chairman.

## SIGNING BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set forth in the foregoing report of committee on enrolled bills.

At 12 o'clock M. the regular order was

## THE ELECTION OF UNITED STATES SENATOR,

And the house proceeded with the regular order.

This being the second Tuesday after the meeting and organization of the legislature of Alabama, the house of representatives proceeded openly by a viva voce vote of each member present to name one person for senator in congress.

Mr. John placed in nomination for senator in con-

gress from Alabama, John T. Morgan, of Dallas county, Ala., to succeed Senator John T. Morgan, whose term expires March 4th, 1895.

Mr. Manning placed in nomination for senator in congress from Alabama, Warren S. Reese, of Montgomery county, Alabama, to succeed Senator John T. Morgan, whose term expires March 4th, 1895.

And on a call of the roll of the house, those who voted for John T. Morgan are :

Messrs. Speaker, Barren, Boykin, Brooks, Brown of Russell, Calhoun, Cameron, Camp, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Fletcher, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Jinks, John, Kelly, Kennedy, Knight, Ky1e, Lipscomb, Maples, Mayfield, Meador, Mahan, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robinson, Rowe, Routon, Sanford, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Whitten. Willett, Williams of Bullock, Williams of Henry—61.

And those who voted for Warren S. Reese are :

Messrs. Banks, Beasley, Beeson, Bellinger, Brown of Conecuh, Burks, Cole, Coleman, Cook of Talladega, Deans, Ellis, Ewing, Fielding, Ford, Forman, Franklin, Fuller, Gains, Harris, Hearn, Jackson, Killebrew, Langley, Manning, Mastin, Meadows, Mills, Mixon, Reaves, Robbins, Savage, Smith of Butler, Summers, Taylor, Wheelless—35.

And the speaker of the house announced that John T. Morgan had received a majority of the whole number of votes cast in the house of representatives in of Alabama for senator in congress from the state Alabama to succeed John T. Morgan, whose term expires the 4th day of March, 1895.

#### INTRODUCTION OP BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate committees, as follows :

By Mr. Smith, of Autauga—

H. 368. To amend section 558 of the code,  
Ways and means;

By Mr. Ewing—

H. 369. Requiring any person or persons holding claims against the fine and forfeiture fund in Cherokee county to register same within ninety days after the passage of this act,

Local legislation ;

By Mr. Calhoun—

H. 370. To regulate the apportionment of the school fund in this state by the superintendent of education, approved February 10, 1891,

Education;

Also,

H. 371. To provide for the election of county superintendents of education, approved February 13, 1889,

Education ;

By Mr. Grant—

H. 372. To amend section 2984 of the code of Alabama,

Judiciary;

By Mr. Mixon, (by request)—

H. 373. To regulate the trials of misdemeanors in Coffee county,

Revision of laws ;

By Brown of Conecuh—

H. 374. To regulate the recording of certain conveyances in Conecuh county,

Revision of laws ;

By Mr. Routon—

H. 375. To amend section 19 of the code, so far as the same applies to Crenshaw county,

Ways and means;

By Mr. Burks—

H. 376. To amend sub-division 24 of section 19 of an act entitled an act to establish a new charter for the city of Cullman, Alabama, approved December 12, 1890,

Corporations;

Also,

H.377. To amend sections 340, 341 and 342 of the code of Alabama,

Privileges and elections;

By Mr. Ellis—

H. 378. To prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, in-

toxicating bitters or cordials within five miles of Friendship Baptist church, in township eighteen, range twenty, in Elmore county,

Temperance;

By Mr. Beeson—

H. 379. To amend section one of an act to establish and define the corporate limits of the city of Gadsden, approved February the 18th, 1891,

Corporations;

By Mr. McQueen—

H. 380. To make appropriation to pay a certain reward for absconding felons, earned during the fiscal year 1893,

Appropriations ;

By Mr. Summers—

H. 381. To further regulate the fees of constables for attending justice court in Lawrence county,

Revision of laws;

By Mr. Jackson—

H. 382. For the relief of needy confederate soldiers or their surviving widows who may have through neglect or ignorance failed to comply with the provisions of section 2 of an act approved February 13, 1891,

Appropriations ;

By Mr. Rowe—

H. 383. To authorize the mayor and aldermen of the town of Gurley, in the county of Madison, State of Alabama, to issue bonds of said town for the purpose of providing said town with water,

Corporations;

By Mr. Cook of Wilcox—

H. 384. To better prevent the commission of trespass upon lands in Wilcox county, Alabama,

Revision of laws;

By Mr. Dale—

H. 385. To legalize certain applications from the counties of Butler, Chilton, Cleburne, Coosa, Dale, Elmore, Greene, Lee, Randolph, Sumter, Shelby, Talladega, Tallapoosa, Tuscaloosa, Walker and Wilcox, for relief under the provisions of "an act for the relief of needy confederate soldiers and sailors, residents of Alabama, who from wounds or other cause are now unable to earn a livelihood, and for the widows of such as were

killed or died in said war, and have not since re-married,  
approved February 13, 1891,

Appropriations;  
By Mr. Moore—

H. 386. To refund to P. W. Chastang the sum of  
eighty dollars, being purchase money for certain land  
heretofore erroneously sold him by the State,  
Appropriations.

#### BILLS ON SECOND READING.

The chairmen of the several committees reported favor-  
ably on the following bills :

H. 274. To provide for the awarding of contracts for  
State and county printing to citizens of this State ;

H. 264. To incorporate the intendant and trustees of  
Hatchet Creek Camp Ground and preserve order at said  
camp ground ;

H. 188. To confirm, amend and enlarge the charter  
of the Bessemer Land and Improvement Company;

H. 278. To incorporate Graham College in Randolph  
county, Alabama;

H. 76. To amend section 2611 of the code of Alabama  
relating to defendant in detinue requiring adverse claim-  
ant to come in and defend ;

H. 81. To provide for the registration and lien of  
judgments rendered by justices of the peace and notaries  
public ex-officio justice of the peace for the payment of  
money;

H. 34. To amend section 1750 of the code of Ala-  
bama;

H. 16. To amend section 1891 of the code of 1886;

H. 28. To regulate primary elections in the county  
and city of Mobile ;

H. 273. To amend section 3091 (3496) of the code of  
Alabama of 1886 ;

H. 225. To create the eleventh judicial circuit of the  
State of Alabama, to fix the time of holding court there-  
in and to provide for the appointment of a judge and the  
election of a solicitor for said circuit;

(With substitute;)

H. 226. To repeal an act entitled "an act to establish  
the district court of Colbert and Lauderdale counties,"

approved February 13th, 1891, and to provide for the disposition of causes pending in said court;

H. 85. To authorize the chancellor, judge or register to require the complainant to give bond before a receiver is appointed;

H. 238. To prevent the fighting of cocks or other birds with gaffs or spurs, and to prevent the fighting of dogs, bulls, bears or other animals ;

H. 237. To prevent the abandonment of maimed, diseased , disabled or infirm animals by their owners or custodians;

H. 235. To amend section 2 of the act entitled an act to authorize corporations organized under the general incorporation laws of the state, or which have been chartered by an act of the general assembly prior to the enactment of the general incorporation laws of this state, of 1867 to alter and amend their charters, approved December 12, 1888;

H. 283. To establish a separate school district in Winston county, to be known as the Poplar Spring School District;

H. 282. To establish a separate school district, to be known as the Freeman School District in Winston county, Alabama;

H. 168. To establish the Rodgers school district in Pike county;

H. 324. To require the owners of stallions, who keep them for profit, to pay a license for the use of the county in which such stallions are kept;

s. 4. To amend section nineteen of an act entitled an act to incorporate the Mobile and West Alabama Railroad Company, and to expedite the construction of said railroad, approved February 11th, 1893 ;

s. 75. To prescribe the duty of tax collectors in collecting taxes, and to repeal sections 533, 534, 535, and 537 of the code as to Bullock county ;

s. 14. To more clearly define and locate the boundary line between the counties of Clay and Talladega in this state.

s. 6. To authorize the mayor and councilmen of the city of Demopolis to issue bonds of the city of Demopolis for an amount not exceeding fifteen thousand dollars, bearing not more than six per cent. interest per annum.

payable semi annually, for, the purpose of erecting and establishing water works for said city ;

s. 8. To establish a new city charter for Phenix city, in Lee county, Alabama.

The above and foregoing bills were read a second time and placed on the calendar.

#### RESOLUTIONS.

Mr. Knight offered the following joint resolution :

Resolved by the house of representatives, the senate concurring, That the public business of the government of the United States has lately been greatly retarded by indefinite discussion in the senate of the United States of subjects of legislation in which the country was greatly interested upon a supposed tradition of "senatorial courtesy ;" that we disapprove of and condemn further observance of so frivolous and pernicious an obstacle to needed legislation, and consider that such a supposed tradition is subversive of the true principles of republican government, finds no warrant in the constitution of our country or in the conduct of the forefathers of the republic, and is injurious to the best interests of the country; and that the senators from the state of Alabama in the congress of the United States are hereby instructed to support and vote for some rule of said senate, by which some limit may be put to debate upon measures presented for the action of the said senate, and a certain date fixed, after full time is allowed for discussion, on which a vote may be taken on bills before it, and the will of the people of this country thus receive the sanction of lawful enactment.

The resolutions was referred to the committee on rules.

#### MESSAGE FROM THE SENATE,

Mr. Speaker:

The senate has originated and passed the following bill:

s. 25. To repeal an act to prevent the compelling of women and children, or permitting of children under fourteen years of age, to labor in a mechanical or manufacturing business more than eight hours in any day, approved Feb. 28th, 1887 ;

s. 48. To change the time of holding the chancery courts for the counties of Randolph, Chambers, Lee, Tallapoosa and Coosa;

s. 64. To establish the Hayne School District, in Lowndes county,

s. 65. For the preservation of game in Conecuh county;

s. 70. To provide for the establishing of township, section, or other subdivision corners of lands where the original survey marks, monuments, witness-trees etc. have been obliterated, in the county of Jackson;

s. 89. To establish the Wyndham Creek School District, in Lowndes county;

And has amended as therein shown and, as amended, has passed the house bill,

H. 8. To amend section 991 of the code, as to the county of Clarke,

And has passed the house bills,

H. 7. To preserve game animals and birds in the counties of Washington, Clarke and DeKalb ;

H. 5. To repeal section four of an act to regulate and prescribe the manner of electing county commissioners of Pike, Bullock, Washington, Baldwin, Butler, Choc-taw, Fayette, Shelby, DeKalb and Pickens counties, approved January 30, 1893;

H. 20. To authorize and empower the mayor and board of aldermen of the city of Bessemer to issue bonds of said city for an amount not exceeding one hundred and twenty-five thousand dollars for the purpose of purchasing a system of waterworks for the said city;

H. 70. To amend sub-division 5 of section 18 of an act to establish a new charter for the city of Bessemer, Alabama, approved February 21st, 1893.

W. L. CLAY.

Secretary.

#### SENATE MESSAGES.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once, and referred to the committees, as follows :

To Mining and manufacturing, s. 25;

To The judiciary, s. 48 ;



To Education, s. 64, 89;

To Local legislation, s. 65, 70 ;

And the house concurred in the senate amendment to H. 8. To amend section 991 of the code.—yeas 80, nays 0.

Yeas :

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Harris, Jinks, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mast in, Mayfield, Meadows, Mills, Mixon, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rabb, Rand, Reaves, Roach, Robinson, Rowe, Sanford, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry.—80

#### BILLS ON THIRD READING.

H. 53. To repeal an act, approved February 21, 1893, entitled an act to regulate the trial of certain misdemeanors committed in Bullock county,

Was read a third time, at length, and passed—yeas < 84, nays 3.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Burks, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Meadows, Mixon, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Routon, Sanford, Savage, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile,

Summers, Tuck, Turner, Ward, Wheelless, Whitten, Willett, Williams, of Bullock, Williams of Henry—84.

Nays:

Brown of Russell, Brown of Conecuh, Mills—3.

H. 24. To authorize Madison county to purchase the macadamized road belonging to the Madison Turnpike Company, and to issue bonds of said county to aid in the purchase of the same was taken up.

On motion of Mr. Fletcher, the bill was tabled.

And the senate bill,

s. 2. To authorize the county of Madison to purchase the macadamized roads belonging to the Madison Turnpike Company, and to issue bonds of said county to aid in the purchase of the same,

Was read a third time, at length, and passed—yeas 81, nays 0.

Yeas:

Messrs. Speaker, Banks, Barron, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Harris, Jackson, Jinks, Kelly, Kennedy, Killebrew, Knight, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mills, Mixon, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Roach, Robbing, Robinson, Rowe, Sanford, Savage, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry—81.

H. 55. To amend subdivision 6 of section 699 of the code,

Was read a third time, at length, and passed—yeas 67, nays 0.

Yeas:

Messrs. Barron, Beeson, Boykin, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Fielding, Fleming, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Graves, Harris, Jackson, Jinks, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Manning, Maples,

Mastin, Meador, Meadows, Mahan, Mills, Mixon, Moore, McClusky, McCorvey, McQueen, Patton, Perry, Prowell, Rabb, Roach, Robbins, Robinson, Rowe, Routon, Sanford, Savage, Scarborough, Screws, Seale, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Wheelless, Williams of Bullock, Williams of Henry—67.

H. 57. To amend section 1810 of the code.

On motion of Mr. John, a substitute was adopted, with the following title :

H. 57. To amend section 1810 of the code, and to repeal section 1811 of the code;

And the bill was read a third time, at length, and passed—yeas 68, nays 5.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Fielding, Fletcher, Forman, Franklin, Fulton, Gibbons, Graham, Grant, Graves, Harris, Jackson, Jinks, John, Kelly, Kennedy, Knight, Kyle, Langlely, Lipscomb, Manning, Maples, Mastin, Mayfield, Meador, Mahan, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Prowell, Rabb, Rand, Roach, Savage, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Summers, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—68.

Nays:

Messrs. Beeson, Coleman, Deans, Fuller and Mills—5.

H. 59. To amend sections 3471 and 3472 of the code, and rule 52 of chancery practice,

Was read a third time, at length, and passed—yeas 70, nays 2.

Yeas:

Messrs. Beeson, Boykin, Brooks, Brown of Russell, Burks, Calhoun, Camerom, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Langlely, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mills, Mixon, Montgomery,

Moore, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Sanford, Scarborough, Screws, Smith of Autauga, Smith of Greene, Summers, Ward, Willett, Williams of Henry—70.

Nays :

Messrs. Beasley and Hearn—2.

H. 62. To prevent the printing, publishing, selling, offering to sell or otherwise disposing of books, pamphlets or tracts containing a history of any man popularly known as an outlaw,

Was read a third time, at length, and passed—yeas 75, nays 5.

Yeas :

Messrs. Speaker, Banks, Ban-on, Beasley, Bellinger, Boykin, Brooks, Brown of Conecuh, Burks, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Hearn, Jackson, John, Kelly, Kennedy, Killebrew, Knight, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Moore, McClosky, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Sanford, Savage, Scarborough, Screws, Smith of Autauga, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry—75.

Nays:

Messrs. Brown of Russell, Curtis, Seale, Willett and Coleman—5.

Mr. Cameron moved to reconsider the vote by which the bill just passed was passed.

Mr. Forman moved to table the motion to reconsider. Carried.

H. 86, To require the production of books and writings in actions at law,

Was read a third time, at length, and passed—yeas 77, nays 1.

Yeas:

Messrs. Speaker, Banks, Barron, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook

of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves; Harris, Hearn, Hill, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Langley, Maples, Mastin, Mayfield, Meador, Meadows, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rabb, Rand, Reaves, Roach, Rogers, Rowe, Sanford, Savage, Scarborough, Screws, Seale, Smith of Butler, Smith of Greene, Tuck, Turner, Ward, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry—77.

Nays:

Mr. Kyle.

H. 87. To regulate exceptions to the giving or refusal of charges asked in writing,

Was read a third time, at length, and passed—yeas 69, nays 0.

Yeas :

Messrs. Speaker, Barren, Beasley, Beeson, Boykin, Brooks, Brown of Russell, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Wilcox, Curtis, Dale Davis, Ewing, Fleming, Fletcher, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hill, Jackson, John, Kelly, Kellebrew, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mills, Mixon, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Robinson, Rowe, Sanford, Savage, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Tuck, Ward, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry—69.

H. 101. To provide for the service of legal process on domestic corporations, having no officer or agent within the state, on whom process can be served,

Was read a third time at length and passed—yeas 84, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Gains, Gewin, Gibbons,

14 h

Graham, Grant, Graves, Harris, Hill, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mixon, Moore, McClusky, McCorvey, McQueen, Ofct, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Routon, Sanford, Savage, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry—84.

H. 106. To amend subdivision three of section 2801 of the code,

Was read a third time, at length, and passed—yeas 80, nays 0.

Yeas:

Messrs. Banks, Barren, Beeson, Brooks, Brown of Russell, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Wilcox, Curtis, Dale, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Harris, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Rowe, Sanford, Scarborough, Smith of Autauga, Smith of Greene, Summers, Tuck, Turner, Ward, Whitten, Willett, Williams of Bullock, Williams of Henry—80.

H. 112. To amend section two of an act entitled an act to prevent frauds being perpetrated by directors and managing officers of corporations on the stockholders thereof, approved December 10, 1892.

The amendment proposed by the committee was adopted,

And the bill was read a third time, at length, and passed—yeas 80, nays 0.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming Fletcher, Ford, Forman, Franklin, Fuller, Gains, Gewin, Gibbons, Graham, Grant,

Craves, Harris, Hearn, Hill, Jackson, Jinks, John, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rabb, Rand, Roach, Robbins, Robinson, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Greene, Tuck, Turner, Ward, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry.

H. 118. To amend section 3610 of the code of Alabama,

Was read a third time at length, and passed.—yeas 82, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, Jackson, Jinks, John, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Moore, McCorvey, O'Brien, Ott, Patton, Perry Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Rounton, Sanford, Scarborough, Screws, Scale, Smith of Autauga, Smith of Greene, Summers, Tuck, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—82.

On motion the house adjourned until 10 o'clock A. M., to-morrow.

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FOURTEENTH DAY.

HOUSE OF REPRESENTATIVES,

November 28, 1894.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Davis of the city.

A quorum was present.

The journal of yesterday was read and approved.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

The committee on enrolled bills report the following:  
correctly enrolled :

H. 11. To amend section 997 of the code as to the county of Clarke;

H. 19. To allow the constable of Bessemer beat number 33 in Jefferson county, and the constable of Birmingham beat number 37 in Jefferson county, and the constable of Parson beat number 3 in Jefferson county, to appoint deputies;

H. 38. To regulate costs in justices' courts in Montgomery county.

J. H. MONTGOMERY, Chairman.

## SIGNING BILLS.

The speaker of the house in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills the titles of which are set out in the above report of the committee on enrolled bills.

## REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

The committee on engrossed bills report the following;  
bills correctly engrossed :

Nos. 53, 57, 59, 86, 87, 106.

CHAS. A. WHITTEN,  
Chairman.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT, }  
OFFICE OF THE GOVERNOR, }  
MONTGOMERY, ALA., Nov. 28th, 1894. }

Mr. Speaker:

I have the honor to inform you that the following bills, which originated in the house have been approved :

H. 1. To confirm and amend the charter of the "Selma Fair and Driving Association," and to give the may or and



police of Selma authority to preserve order on the grounds thereof;

H. 7. To preserve game animals and birds in the counties of Washington, Clarke and DeKalb ;

H. 8. To amend section 991 of the code, as to the county of Clarke ;

H. 70. To smend subdivision 5 of section 18 of an act to establish a new charter for the city of Bessemer, approved February 21, 1893;

H. 20. An act to establish and empower the mayor and board of aldermen of the city of Bessemer to issue bonds of said city for an amount not exceeding one hundred and twenty-five thousand dollars for the purpose of purchasing a system of water works for said city.

Very respectfully,  
HARVEY E. JONES,  
Recording Secretary.

Mr. Knight from a joint committee submitted the following :

#### REPORT OF JOINT COMMITTEE.

Mr. President:

The joint committee to which was referred the matter of making arrangements about the inauguration of governor-elect Gates, submit the following report:

They recommended that the inauguration take place on Saturday the 1st, proximo, and they have adopted and suggested the following program :

That the procession form on Commerce street, with its head opposite the Exchange Hotel at 11:30 a. m. on Saturday, December 1st, 1894. The line of march will be Tip Dexter avenue to Perry, down Perry to Monroe, up Monroe to the capitol and in this order :

Military.

1st Carriage.

Governor Jones,

Governor-elect Oates.

2d Carriage.

President of the senate,

Speaker of the house,

Secretary of the senate and clerk of the house of representatives.

3d Carriage.

Chairman of joint committee,

Chaplain,

Secretary of the senate,

Clerk of house of representatives.

4th Carriage, joint committee.

5th judges supreme court.

6th }

7th }

8th } State officers.

9th }

10th Mayor of Montgomery and city council.

The inaugural address will be delivered from the steps of the capitol in the presence of the general assembly and the oath of office will be administered by the chief justice of the supreme court.

JOHN Y. KILPATRICK,

A. D. SAYRE,

Committee on part of senate,

THOS. E. KNIGHT,

DAVIS,

GIBBONS,

Committee on part of the house.

The report was concurred in.

#### MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT, }  
 OFFICE OF THE GOVERNOR, }  
 MONTGOMERY, November 28th, 1894. }

To the General Assembly:

The last general assembly appropriated fifty thousand dollars for the expenses of the legislative session, but nearly all of that amount was properly paid out before it adjourned sine die. When it adjourned sine die, members presented certificates for per diem and mileage, which required the sum of \$1,163.20 in excess of the appropriation to pay those claims. It was too late then to have an act passed, which would not have involved an extra session of the general assembly. All these claims are authorized by law, had to be paid and constituted just charges against the state. The auditor,

rather than put the members and others to the inconvenience of waiting for their money, paid these claims. I think his action, under the circumstances, was proper and ought to be approved by the general assembly, and I therefore recommend that an act be passed, ratifying his acts in the premises.

THOS. G. JONES.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT, }  
 OFFICE OF THE GOVERNOR, }  
 MONTGOMERY, November 28th, 1894. }

To the General Assembly:

On the 11th October, 1894, the sheriff of Macon county informed the superintendent of convicts that one McKenzie, a prisoner, who had just been convicted and sentenced, was in danger of mob violence, and requested that a special messenger be sent to convey him to the penitentiary, in accordance with the sentence of the court. If the prisoner had not already been sentenced, and therefore required at once to be sent to the penitentiary, I should have directed the sheriff to summon a posse and defend the jail, and not to give countenance to mob violence by running the prisoner off for safety. As the law required the prisoner to be taken at once to the penitentiary, and there was no authority for retaining him in the jail, I wired the sheriff to send him to Montgomery at once under a strong guard, without waiting for the superintendent of convicts, who had no man available to send on so short a notice. I also directed the sheriff to summon a posse, and protect the prisoner at all hazards. The sheriff deemed it advisable to come himself, and bring a guard of nine men, as he was apprehensive of interruption by a mob after taking the train. His total expenses were \$73.22, and as there is no fund from which this can be paid, I recommend a special appropriation to reimburse the sheriff.

THOS. G. JONES.

The foregoing messages from the governor were referred to the committee on appropriations.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has passed the following house bills :

H. 19. To allow the constable of Bessemer beat number 33 in Jefferson county, and the constable of Birmingham beat number 37 in Jefferson county, and the constable of Parson beat number 3 in Jefferson county to appoint deputies;

H. 11. To amend section 997 of the code, as to the County of Clarke;

H. 38. To regulate costs in justices courts in Montgomery county;

And has concurred in the house joint resolution raising a joint committee to consider that part of the governor's message which pertains to the release of prisoners on their own recognizance when unable to furnish bail, and report to the two houses.

Committee on part of senate, Messrs. Sanford and Hundley.

And has originated and passed the following bills :

s. 86. To regulate the payment of claims against the fine and forfeiture fund of Geneva county;

s. 104. To protect bridges, and other public property on Patsaliga creek and the Conecuh river in Covington, Crenshaw and Pike counties, from damage by rafts, drives, and floating logs put in by timbermen in said counties;

And,

s. 93. To confirm the validity of certain bonds, issued at different times by the board of revenue of Montgomery county, pursuant to an act, approved December 6, 1886, entitled an act to authorize the board of revenue of Montgomery county to issue bonds of said county for an amount not exceeding fifty thousand dollars, for the purpose of building an addition to the court house of said county, and enlarging and improving the same, and for paying for the erection of a county jail in said county, as amended by an act approved February 22, 1887, entitled an act to amend section 1 of an act entitled an act to authorize the board of revenue of Montgomery county to issue bonds of said county for an amount not exceeding fifty thousand dollars for the purpose of building an

addition to the court house of said county, and enlarging and improving the same, and for paying for the erection of a county jail in said county, approved December 6, 1886,

And has adopted a joint resolution herewith sent, requesting the governor to return to the senate H. Bill No. 5, without his signature, for the purpose of amendment.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once, and referred to the committees, as follows :

To local legislation, s. 86;

To public roads and highways, s. 104;

To corporations, s. 93.

And the rules were suspended, and the resolution mentioned in the senate message was adopted.

#### JOINT CONVENTION FOR THE ELECTION OF UNITED STATES SENATOR.

The hour of twelve o'clock meridian having arrived, when, in pursuance of law, the senate should convene with the house in joint convention in the hall of the house of representatives, for the purpose of ascertaining the result of the balloting on yesterday for a senator to represent the State of Alabama in the Congress of the United States to succeed Senator John T. Morgan, whose term expires on the 4th day of March, 1895, and in case no election had been made to proceed with such election, the senate met with the house in the hall of the house of representatives.

The joint convention was called to order by the President of the Senate (Mr. Austill, of Mobile, presiding,) who directed the secretary of the senate to call the roll of the senate. Whereupon the following senators answered to their names, being a majority of the senate of Alabama, viz :

Messrs. Austill, Bogart, Browder, Bruner, Culver, Cunningham, Darby, Day, Goodwyn, Hawkins, Hogue, Hollis, Hundley, Kemp, Kilpatrick, McElderry, McRae,

Milner, Moody, Nolen, Porter, Robinson, Rogers, Samford, Sayre, Tumlin, Walker of Henry, Walker of Marengo, Wharton, Williamson—30.

The Speaker of the House, then, directed the clerk of the house to call the roll of the house of representatives, whereupon the following representatives answered to their names, being a majority of the House of Representative of Alabama:

Messrs. Speaker, Banks, Barron, Beasley, Beeson, Bellingier, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Graham, Grant, Graves, Harris, Hearn, Jackson John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Routon Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry.—92.

The secretary of the senate, then, proceeded to read the journal of the senate of yesterday, from which it appeared that John T. Morgan, of Dallas, received twenty-three votes, and Warren S. Reese, of Montgomery, received nine votes for senator to represent the State of Alabama in the Congress of the United States for the term beginning March 4th, 1895. The clerk of the house of representatives, then, read the journal of the house of representatives of yesterday, from which it appeared that John T. Morgan, of Dallas, received sixty-one votes, and, Warren S. Reese, of Montgomery, received 35 votes for senator to represent the State of Alabama in the Congress of the United States for the term beginning March 4th, 1895.

The President of the Senate, then, announced, that, John T. Morgan, of Dallas, having received a majority of all the votes cast in each house for senator to represent the State of Alabama in the Congress of the United

States to succeed Senator John T. Morgan, whose term expires on the 4th day of March, 1995, he declared him to be duly and constitutionally elected a senator from the State of Alabama for the term prescribed by law.

The President of the Senate, then, declared that the purpose of the joint convention of the two houses having been accomplished, the joint convention was dissolved.

The senate, then, retired to its chamber, and the house resumed consideration of the regular order.

#### INTRODUCTION OF BILLS.

On a call of, the counties, bills were introduced, severally read one time, and referred to appropriate committees, as follows:

By Mr. Graves—

H. 387. For the preservation of birds in the county of Barbour,

Local legislation;

By Mr. Kelly--

H. 388. A memorial from the mayor and city council of Anniston in regard to a state exhibit at the Cotton State and International Exposition,

Appropriations;

Also,

H. 389. To amend section 3532 of the code of Alabama, Judiciary;

By Mr. Mastin(by request,) —

To authorize and empower Alfred Papwell, of Chilton county, Ala., to sell at private or public sale, the interest of the heirs, of John Papwell, deceased, in the estates of Reuben Papwell, Sallie Papwell and Benjamin Papwell, deceased,

Judiciary;

By Mr. Ellis, (by request)—

H. 391. To prohibit the selling, bartering, exchanging or giving away of spirituous, vinous or malt liquors, intoxicating bitters or beverages in beat eight and beat eighteen Elmore county, Alabama,

Temperance ;

By Mr. Beeson—

H. 392. To incorporate the Etowah Male and Female Institute, in Etowah county, Alabama,

Education;

By Mr. Knight—

H. 393. To prevent stock from running at large in certain portions of beat No. 3 (three) in the county of Hale, State of Alabama,

Local legislation;

Also,

H. 394. To regulate the reports of committing magistrates in the counties of Dallas, Hale, Lowndes, Perry and Wilcox,

Revision of laws ;

By Mr. John—

H. 395. To amend section 708 of the code of Alabama, Judiciary;

Also,

H. 396. To limit appeals to the supreme court to cases in which the value of the matter in controversy exceeds one hundred dollars,

Judiciary;

By Mr. Wheelless, (by request)—

H. 397. To confirm, amend and enlarge the charter of the Chattahoochee Brewing Company,

Corporations;

Also,

H. 398. For the relief of Henry D. Duskin of Lee county, an indigent colored man who is unable to perform manual labor,

Appropriations ;

By Mr. Kyle—

H. 399. To authorize the mayor and aldermen of the town of New Decatur in Morgan county, Alabama, to divide the town of New Decatur into wards,

Corporations ;

By Mr. Turner—

H. 400. To repeal an act entitled an act to amend an act to more effectually provide for the payment of grand and petit jurors in the county of Washington, approved February 19th, 1875, and to repeal an act entitled an act to more effectually provide for the payment of grand and petit jurors of the county of Washington,

Revision of laws ;

Also,

s. 401. To provide for the county treasurer keeping



a sufficient fund to pay grand and petit jurors and the members of the court of county commissioners and county stationery bills in Washington county,

Local legislation;

Also,

H. 402. To repeal section 1, 3 and 4 of an act entitled an act to provide for and regulate the fine and forfeiture fund in the counties of Monroe, Macon, Washington, Jefferson and Randolph, so far as said sections 1, 2 and 4 relate to Washington county,

Local legislation;

By Mr. Dale—

H. 403. To change the time of making application under the provisions of an act for the relief of needy confederate soldiers and sailors, residents of Alabama, who from wounds or other cause are now unable to make a livelihood, and for the widows of such as were killed or died in said war and have not since remarried, approved February 13th, 1891,

Appropriations;

By Mr. McCorvey—

H. 404. To establish a separate school district in Monroe county, Alabama, and fix the boundaries of same,

Education;

By Mr. Lipscomb—

H. 405. To provide for the empanelling of petit juries and grand juries, and for the trial of criminal causes in the Bessemer division of the circuit court of Jefferson county, holden at Bessemer, under "an act to provide for the holding of terms of the circuit court of the tenth judicial circuit for the trial of civil causes at Bessemer in and for certain portions of Jefferson county therein mentioned," approved February 21st, 1893,

Revision of laws.

#### BILLS ON SECOND READING.

The chairmen of the several committees reported favorably on the following bills :

H. 290. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the state, for interest on the public debt and for public schools;

H. 197. To provide for exemptions from administration in favor of the minor child or children, of certain property on the death of their mother and to provide for the setting apart thereof;

H. 200. To amend section 3012 of the code of 1886 of Alabama;

H. 96. To amend section 3588 of the code,  
(With amendment);

H. 239. To regulate trials of misdemeanors in Monroe county;

H. 255. To provide for the compensation of state witnesses in Cleburne county;

H. 276. To amend section 4053 of the code of Alabama, so far as relates to the county of Morgan;

H. 258. To amend sections 3870 and 3871 of the code;

H. 351. To amend section three (3) of an act entitled an act to define and prescribe a lawful fence in certain portions of the county of Madison, approved February 28th, 1889;

H. 271. To amend sections 1, 2, 15, 16, 19, 20 and 21 of an act to create the office of inspector of mines and to prescribe the duties and powers of such office, approved February 16, 1893 ;

H. 308. To secure prompt payment of wages to laborers, mechanics or other wage-earners employed in mining and manufacturing,  
(With amendment) ;

H. 342. To establish a charter for the town of Seairight, in Crenshaw county, Alabama ;

H. 187. To confirm the charter of the Bessemer Building and Loan Association to provide for the increase of the capital stock, to authorize it to sell surplus money at private sale, to invest unsold money, to buy, sell, lease or otherwise dispose of real estate, to erect buildings or improvements, to borrow money and to provide for the increase of the capital stock, and to extend the time within which said association shall continue to exist as a corporation ;

H. 366. To amend an act to require all corporations to pay a fee or license for the use of the state before commencing business in this state, approved February 18th, 1893,

(With amendments);

H. 343. To prohibit the sale or giving away of alcoholic, spirituous, vinous or malt liquors in Henry, Dale and Geneva counties within five miles of the Dothan high school, in Henry county, except it be within the limits of police jurisdiction;

H. 267. Prohibiting the sale or giving away of any spirituous, vinous or malt liquors within one mile of Coffee Springs camp grounds in Geneva county ;

H. 279. To prevent the running at large in the state of Alabama of rabid dog or dogs bitten or supposed to have been by a rabid dog ;

s. 77. To create a new charter for the town of Heflin, Cleburne county;

s. 56. To make fences built with barbed wire in Mobile county lawful fences and to fix the way in which such fences may be built;

s. 32. Joint resolution asking a donation from the Federal government of Mount Vernon barracks to the state of Alabama for public uses;

s. 30. To regulate and prescribe the manner of electing the county commissioners of Bibb county ;

s. 9. To, authorize the board of revenue of Montgomery county to issue bonds of said county for an amount not exceeding three hundred thousand dollars for the purpose of building and improving the public roads of the county upon a permanent and well considered system and for erecting bridges in said county.

The above and foregoing bills were severally read a second time and placed on the calendar.

#### RE-REFERRED.

H. 136 was on motion recommitted to the judiciary and  
H. 299 was returned and referred to the committee on education.

#### BILLS ON THIRD READING.

H . 119. To repeal an act to regulate the liens of execution in Jefferson county, Alabama,

Was read a third time, at length, and passed—yeas 78, nay's 0.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks,

Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jackson, Jinks, John, Kelley, Kennedy, Langley, Lipscomb, Manning, Maples, Mayfield, Meador, Meadows, Mahan, Mixon, Montgomery, McClusky, McQueen, Patton, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Routon, Savage, Scarborough, Screws, Seale, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheless, Whitten, Willett, Williams of Bullock, Williams of Henry—78.

H. 148. To regulate the granting of certificates of qualification to teach in the public schools of the state of Alabama, by literary colleges and other schools.

Mr. Bellinger moved to amend by taking Blount county from operations of bill. Tabled.

Mr. Taylor moved to amend so the provisions of bill would not apply to Cleburne county. Tabled.

On motion of Mr. Calhoun the bill was tabled.

H. 147. To incorporate the Polytechnic College and Ladies' Institute of Cullman, Alabama,

Was amended and read a third time, at length.

#### MEMORIAL EXERCISES.

The hour of 12 o'clock meridian having arrived, the house of representatives under its former order proceeded to the consideration of resolutions in memory of the Hon.

P. S. Holt, late a member of the house of representatives from the county of Macon.

After remarks by Messrs. Fletcher, Ott, Willett, Brown of Russell, Screws, Harris, Kyle, Knight and Whitten, the house adjourned until Friday morning at 10 o'clock A. M. out of further respect to the memory of Hon. P. S. Holt.

## FIFTEENTH DAY.

## HOUSE OF REPRESENTATIVES,

Nov. 30, 1894.

The house met pursuant to adjournment.  
Prayer by Rev. Mr. Davis, of the city.  
A quorum was present.

## LEAVE OF ABSENCE.

Leave of absence was granted to Messrs. Summers, Fulton, Rowe, Ford and Sanford for one day, and to Messrs. Fielding, Beasley and Rabb for two days, and Mr. Gewin indefinitely.

## MOTIONS.

On motion of Mr. Fletcher, the reading of the journal of yesterday was dispensed with, and a committee of three members consisting of Messrs. Meador, Rand and Forman were appointed to examine same and report to the house.

## RESOLUTIONS.

By Mr. Brooks—

Resolved, Thrt the following be added to the rules of the house:

On a motion to commit or to recommit a bill, petition, or other question, no discussion shall, be had on the merits of the matter sought to be committed or recommitment. But a brief statement of the provisions thereof is admissible to show why the same should be so committed or recommitted.

By Mr. John—

Rule, all bills establishing or creating courts, circuits or chancery divisions, or extending their powers or jurisdiction or fixing the times of holding courts or regulating proceedings therein, shall be privileged and may be made a special order when read the second time or at any time thereafter on call.

Which were referred to the committee on rules.

## REPORT OF COMMITTEE ON RULES.

The committee on rules reported favorably on the following senate joint resolution, which was concurred in.

Be it resolved by the senate, the house concurring, that a committee of ten (10), four from the senate and six on the part of the house be appointed to consider the advisability and practicability of re-districting the several judicial circuits of the state, or to in some manner provide relief for the overburdened districts and to report as early as possible by bill or otherwise the means to secure such relief as will enable the courts to do the business in those districts so blocked and overburdened.

Also, with substitute on the following house joint resolution .

Be it resolved by the house of representatives, the senate concurring, that a committee consisting of three from the house and two from the senate be appointed to consider and report proper legislation on the subject of the assessment of property for taxation in this state, and that said committee be authorized to sit in the city of Montgomery during a period of not more than ten days immediately preceding the reassembling of the general assembly.

On motion of Mr. Ward the above resolution and substitute were laid aside for action to be had on next Thursday.

## GOVERNOR'S MESSAGE.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,     }  
 OFFICE OF THE GOVERNOR,                     }  
 MONTGOMERY, Nov. 30th, 1894.             }

To the General Assembly:

As required by law, I herewith transmit to you the reasons for the pardons, commutations and reprieves granted since my last message to you on this subject.

THOS. G. JONES.

The above message with accompanying documents, was referred to the committee on public printing.

## PERSONAL PRIVILEGE.

Mr. Manning arose to a question of personal privilege,

and asked that the following resolution be read and spread upon the minutes of the journal. No objection being interposed, such was the order :

Resolved by the populist senators and representatives of the general assembly in caucus assembled, That the action of our state convention held in this city on the 12th inst., meets with our full endorsement, and that all reports published by an unfriendly press to the effect that any violence or lawlessness in any form is contemplated on the first proximo are absolutely false and are circulated for the purpose of bringing our party into disrepute among patriotic citizens.

A. T. GOODWYN, Chairman.

E. B. LANGLEY, Secretary.

November 29, 1894.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker;

The committee on engrossed bills reports the following, bill correctly engrossed:

H.119. CHAS. L. WHITTEN, Chairman.

SENATE CHAMBER,

Nov. 30, 1894.

Mr. Speaker:

The president having signed the following bill, your signature is requested thereto :

s. 2. An act to authorize the county of Madison to purchase the macadamized roads belonging to the Madison Turnpike Company, and to issue bonds of said county to aid in the purchase of the same.

W. L. CLAY,  
Secretary.

#### SIGNING OF BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the senate bill, the title of which is set out in the foregoing senate message.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has originated and passed the following bill:

s. 17. To amend sections 5, 6, 10, 11, 14, 26, 28 and 29 of an act entitled an act to provide for the more efficient working of the public roads in Talladega county, approved Dec. 9, 1886, and to amend section 4 of an act entitled an act to amend sections 20, 21, 22 and 26 of an act entitled an act to provide for the more efficient working of the public roads in Talladega county, approved Feb. 13, 1889;

s. 29. To repeal an act to provide for the election of county superintendents of education, so far as the same relates to Bibb county, approved February 13th, 1889, and to provide for the filling of said office by appointment ;

s. 35. To amend an act to establish the city court of Gadsden, approved February 18, 1891, by amending certain sections thereof.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read; once, and referred to the committees, as follows :

Public roads and highways, s. 17 ;

Education, s. 29 ;

Judiciary, s. 35.

#### REPORT OF COMMITTEE ON WAYS AND MEANS.

November 28th, 1894.

Mr. Speaker:

The committee on ways and means to whom was referred the message of the governor of November 17th, 1894, have had the same under consideration and concur in the opinion of the governor therein expressed in relation to the exchange of the bonds mentioned in said message.

LESLIE E. BROOKS, Chairman.

FRANK P. O'BRIEN,  
J. E. CAMP,  
J. J. MAYFIELD,  
B. D. TURNER,



D. J. MEADOR,  
 A. S. FLETCHER,  
 W. C. SCARBOROUGH,  
 J. C. MANNING,  
 J. H. HARRIS,  
 P. N. G. RAND,

J. T. DALE.

On motion of Mr. John the above report was adopted.

#### INTRODUCTION OF BILLS.

On a call of the counties bills were introduced, severally read one time, and referred to appropriate committees, as follows :

By Mr. Smith of Autauga (with petition)—

H. 406. To amend sub-division 29 of section 629 of the code,

Ways and means;

By Mr. Kelly—

H. 407. To amend section one of an act entitled "an act to amend an act to establish the city court of Aniston," approved February 9th, 1893,

Judiciary;

Also (by request)—

H. 408. To regulate the trial of misdemeanors in Calhoun county,"

Judiciary;

By Mr. Burks (by request)—

H. 409. To take the county of Cullman, Alabama, out of the eighth judiciary circuit of Alabama, and to attach it to the ninth judicial circuit of Alabama, and to fix and regulate the times of holding circuit courts in said Cullman county, Alabama,

Judiciary;

By Mr. Williams of Henry—

H. 410- To provide for holding the circuit court of Henry county, at Dothan, and to prescribe the jurisdiction thereof, and regulate ths proceedings theiein,

Revision of laws;

By Mr. Maples—

H. 411. To compel operators and managers of telegraph and telephone lines, to deliver messages without delay,

Commerce and common carriers ;

By Mr. O'Brien—

H. 412. To amend the charter of the Southern Associated Press; to ratify and confirm all its acts and doings and all the acts and doings of its stockholders, subscribers to stock and officers before and after the issuance of its charter; and to confer on it additional powers, rights and liabilities,

Corporations;

By Mr. McQueen—

H. 413. To declare the effect of judgments in actions of ejectment or actions in the nature of actions of ejectment,

Revision of laws;

Also,

H. 414. To abolish the distinction between actions of trespass and case,

Judiciary;

Also,

H. 415. To amend section 2817 of the code,

Revision of laws;

By Mr. Davis—

H. 416. To amend sections 3682, 3683, 3684, 3685, 3687, 3689, of the code of 1886, relating to fees of the clerks of the circuit court, registers in chancery, clerk of the supreme court, judges of probate, sheriff's, coroners, justices of the peace and constables.

Judiciary;

By Mr. Coleman—

H. 417. To establish a separate school district to be known as Boaz district in Marshall county,

Education;

By Mr. Brooks—

H. 418. To amend section 2514 of the code of Alabama,

Revision of laws;

By Mr. McCorvy (by request)—

H. 419. To abolish the commissioners court of Conecuh county,

Revision of laws ;

Also, (by request)—

H. 420. To establish a board of revenue for Conecuh county, and to define the powers and duties of said

board of revenue,

Revision of laws;

By Mr. Smith of Mobile—

H. 421. Regulating the protest of negotiable paper,  
Judiciary;

Also,

H. 422. To amend section 2931 of the code of Ala-  
bama,

Judiciary;

Also, (with notice and proof)

H. 423. To declare Charles K. Foote and Charles G.  
Foote, who now reside in tile county of Washington, near  
the boundary line between the county of Washington and  
the county of Mobile, citizens of the county of Mobile,  
and to authorize them to assess certain of their real  
property on or near said boundary line with the tax  
assessor of Mobile county, and pay their taxes on it to  
the tax collector of Mobilecounty,

Local legislation;

By Mr. Robinson—

H. 424. To amend section 18 of the regulations of the  
harbor of Mobile, published and promulgated pursuant  
to the act to provide for the publication and distribution  
of the code of Alabama, approved February 21st, 1887,

Local legislation;

By Mr. Screws—

H. 425. To relieve Louis A. Westcott, of Montgomery  
county, of the disabilities of non-age,

Revision of laws ;

By Mr. Screws—

H. 426. To protect laborers in this state and to declare  
void oppressive transfers of their wages and transfers  
thereof without sufficient consideration,

Judiciary;

By Mr. Brown of Russell—

H. 427. To prohibit the playing of match games of  
football in this State,

Public health;

By Mr. Boykin—

H. 428. To fix the time and place of holding circuit  
court in the third judicial circuit,

Judiciary;

By Mr. Forman—

H. 429. To amend section 1750 of the code of Ala-  
bama,

Judiciary;

Also,

H. 430. To define and fix the character and measure of proof required in prosecutions for violations of law regulating or prohibiting the sale, giving away or otherwise disposing of intoxicants,

Temperance ;

By Mr. Mayfield—

H. 431. To provide for rendering judgments against securities or sureties for costs in the courts where security for costs is required,

Judiciary;

By Mr. Dale—

H. 432. To pay M. E. Curtis, sheriff of Wilcox county, for removing a prisoner from the jail in Mobile to the jail in Camden, Wilcox county,

Appropriations;

By Mr. Graham—

H. 433. To authorize the city council of Selma, to issue bonds and borrow money for the purpose of providing and maintaining a system of waterworks in Selma,

Corporations ;

By Mr. Kelly, (by request)—

H. 434. To extend the territorial jurisdiction of notary public and ex-officio justices of the peace appointed for ward one (1) in the city of Anniston,

Revision of laws ;

By Mr. Tuck—

H. 435. To require insurance companies, fire, or fire and marine, doing business in this State to own twenty thousand dollars worth of taxable property in the State, before license shall be issued to them to do business,

Banking and insurance;

By Mr. Hill—

H. 436. To To authorize the incorporation of Life or Casualty Insurance Companies or Corporations in the State of Alabama, upon the co-operation or assessment plan, and to permit such companies or corporations, organized under the laws of other countries, states or territories, to do business in this State,

Banking and insurance;

By Mr. Boykin—

H. 437. To establish the twelfth judicial circuit, to

provide for the appointment of a judge and solicitor therefor, and fix the time of holding courts therein,

Judiciary;

By Mr. Montgomery—

H . 438. To authorize the defendants in a criminal case to appeal from a judgment of conviction rendered by any justice of the peace, notary public, and ex-officio justice of the peace, recorder or mayor of any city, or town in Jefferson county, without giving bond,

Revision of laws ;

#### BILLS ON SECOND READING.

The chairmen of the several committees reported favorably on the following bills :

H. 364. To provide a penalty against any county court judge or judge of any county court for failure to hold court and to prescribe how such penalty shall be enforced;

H. 266. To vest in justices of the peace of Dallas county and notaries public and ex-officio justices of the peace concurrent jurisdiction with the city and circuit courts of Dallas county, in the trial of persons charged with carrying concealed weapons about their persons;

H. 270. To amend an act entitled an act to relieve married women of their disabilities of minority, approved February 21st, 1893 (with substitute) ;

H. 285. To authorize persons engaged in surveys provided for by laws of the congress of the United States to enter on lands within this state for the purpose of said surveys ; to protect the operations of the same from injury and molestation ; to prescribe the mode of assessing damages caused to any property in the progress of the same, and to provide for the punishment of offenders against the provisions of this act and for other purposes;

H. 312. To abolish the county court of Marion county;

H. 313. To make certain municipal ordinances or by-laws evidence without further proof;

H. 314. To amend an act entitled an act to regulate the mode of selecting, drawing and empanelling grand and petit jurors for the county of Mobile, approved February 20th, 1883, and to amend section three of an act entitled an act to amend sections six, eight, ten, eleven

and thirteen of an act entitled an act to regulate the mode of selecting, drawing and empanelling grand and petit jurors for the county of Mobile," approved February 20th, 1883,

H. 316. To amend section 3613 of the code of Alabama;

s. 5. To require the clerk of the circuit court of Choctaw county to make out and keep a general index of the records of his office;

s. 18. To relieve Rit. M. Lavender, of Hale county, of the disabilities of non-age.

s. 40. To provide for the entry of payment of the purchase money recited in conveyances of property on the margin of the record of such conveyances ;

s. 48. To change the time of holding the chancery courts for the counties of Randolph, Chambers, Lee, Tallapoosa and Coosa;

s. 52, To require the production of books and writings in actions at law ;

s. 53. To authorize the chancellor, judge or register to require the complainant to give bond before a receiver is appointed ;

s. 55. To regulate exceptions to the giving or refusal of charges asked in writing;

s. 74. To repeal an act to provide for the drawing and organization of grand and petit juries in the county of Wilcox;

H. 368. To amend section 558 of the code;

H. 306. To amend sections 2, 3, 4, 5, 7 and 8 of an act to constitute the city of Gadsden a separate school district, approved February 28th, 1889;

H. 322. To provide for the election of county superintendent of education of Sumter county;

s. 26. To establish the Benton School District in Lowndes county ;

s. 89. To establish the Wyndham Creek school district in Lowndes county;

H. 286. To regulate the practice of quarantine in Alabama (with amendment) ;

H. 369. Requiring any person or persons holding claims against the fine and forfeiture fund in Cherokee county to register game within ninety days after the passage of this act;

H. 333. To amend section 533 of the code;

H. 383. To authorize the mayor and aldermen of the town of Gurley in the county of Madison, state of Alabama, to issue bonds of said town for the purpose of providing said town with water;

H. 352. To repeal sections 9 and 10 of an act of the general assembly of Alabama, approved February 19th, 1885, and entitled an act to incorporate the Bienville Water Supply Company;

H.399. To authorize the mayor and aldermen of the town of New Decatur in Morgan county, Alabama, to divide the town of New Decatur into wards.

The above and foregoing bills were severally read a second time and placed on the calendar.

#### SPECIAL ORDER.

On motion, s. 9 was made a special order for Monday morning at 11:30 o'clock ;

Also, H. 162 was made a special order for 12 o'clock Monday.

The hour for the consideration of H. 225 having arrived, on motion of Mr. John the house proceeded to consider

H. 225. To create the eleventh judicial circuit of the state of Alabama, to fix the time of holding court therein and to provide for the appointment of a judge.

A substitute was offered and adopted. Mr. John offered an amendment which was adopted,

And the bill as amended, was read a third time, at length, and adopted—yeas 76, nays 2.

Yeas :

Messrs. Speaker, Banks, Barren, Beeson, Bellinger, Boykin, Brown of Russell, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Gains, Gewin, Gibbons, Graham, Grant, Graves, Hearn, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Mayneld, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rand, Reaves, Roach, Robinson, Routon, Scarborough,



Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Ward, Williams of Bullock, Williams of Henry—76.

Nays :

Messrs. Cole and Harris—2.

#### MOTIONS.

Mr. Hearn moved to bring house bill 297 from adverse report and place it upon the calendar.

Mr Cameron moved to table the motion. Carried.

By Mr. Davis—

To have 200 copies of H. 416 printed for the use of the house. Lost.

#### UNFINISHED BUSINESS.

H. 147. To incorporate the Polytechnic College and Ladies Institute, of Cullman, Alabama,

Was taken up and passed—yeas 60, nays 3.

Yeas:

Messrs. Speaker, Banks, Barren, Brooks, Brown of Conecuh, Burks, Calhoun, Cameron, Camp, Cook of Wilcox, Dale, Davis, Ellis, Ewing, Fleming, Fletcher, Forman, Frankin, Gains, Gibbons, Grant, Jackson, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Perry, Pro-well, Rand, Roach, Robbins, Robinson, Routon, Savage, Scarborough, Screws, Scale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tack, Turner, Williams of Bullock—60.

Nays:

Messrs. Bellinger, Brown of Russell, and Graves—3.

#### BILLS ON THIRD READING.

H. 146. To amend section 4 of an act entitled an act to incorporate the Evergreen Industrial Normal School, approved February 16, 1891,

Was read a third time, at length, and passed—yeas 68, nays 0.

Yeas:

Messrs. Speaker, Banks, Barron, Beasley, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Gains, Gibbons, Graham, Grant, Graves, Harris, Hill, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Langley, Lipscomb, Maples, Mastin, Mayfield, Mahan, Mixon, Montgomery, McClusky, McCorvey, O'Brien, Ott, Patton, Perry, Prowell, Rand, Roach, Robinson, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Williams of Bullock, Williams of Henry—68.

H. 22. To exempt school trustees from poll tax and road duty,

Was read a third time, at length, and on motion of

Mr. Meador the vote by which the bill was ordered to a third reading was reconsidered.

Mr. Davis offered the following amendment, which was tabled : "Strike out poll tax, insert jury duty,"

And the bill was read a third time and passed—yeas 53, nays 24.

Yeas:

Messrs. Speaker, Banks, Barron, Boykin, Brooks, Brown of Russell, Burks, Cameron, Davis, Deans, Ellis, Ewing, Fletcher, Forman, Franklin, Fuller, Gains, Gibbons, Graham, Graves, Harris, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Manning, Mastin, Mayfield, Meadows, Mixon, McClusky, O'Brien, Ott, Patton, Perry, Rand, Reaves, Robinson, Routon, Savage, Scarborough, Screws, Seale, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Wheelless—53.

Nays:

Messrs. Beeson, Bellinger, Burns, Calhoun, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Grant, Hearn; Hill, Maples, Mahan, Montgomery, McCorvey, McQueen, Prowell, Roach, Smith of Autauga, Tuck, Turner, Whitten, Williams of Bullock—24.

Mr. Graham gave notice that on to-morrow he would make a motion to reconsider the vote by which H. 22, was passed.

H. 154. To require persons operating coal mines, who pay for mining the same by weight, to, have such coal honestly and carefully weighed,

Was read a third time at length, and passed—yeas 80, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jackson, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Lipscomb, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McOlusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rand, Reaves, Roach, Robinson, Routon, Savage, Scarborough, Screws, Scale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—80.

H. 39. To repeal section 82 of an act entitled an act to establish a new charter for the city of Montgomery, approved February 10th, 1893,

Was read a third time, at length, and passed—yeas 72, nays 0.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Gains, Gibbons, Graham, Grant, Graves, Hearn, Hill, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mixon, Montgomery, McClusky, McCorvey, O'Brien, Ott, Patton, Perry, Rand, Reaves, Roach, Robinson, Routon, Savage, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Tuck, Wheelless, Whitten, Williams of Bullock, Williams of Henry—72.

Nays :

Mr. Cole, 1.

H. 18. To amend section 7 of an act, approved 28th

February, 1889, entitled an act to establish a charter for the town of Avondale, Jefferson county,

Was read a third time at length, and passed—yeas 68, nays 0.

Yeas:

Messrs. Speaker, Barron, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Coleman, Cook of Wilcox, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Meador, Mahan, Mixon, Montgomery, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rand, Reaves, Roach, Robinson, Routon, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Tuck, Ward, Wheelless, Whitten, Williams of Henry—68.

H. 150. To prevent the sale of oats for seed purposes which are mixed with seed of the Johnston grass,

(With amendment);

Mr. Cole offered an amendment, which was tabled.

Mr. Calhoun, To amend by adding : Provided this bill shall not apply to Calhoun, Talladega, Marion and Walker counties. Tabled.

Mr. John, To amend by adding Means grass after Johnston grass. Carried.

And the bill was read a third time, at length, and passed—yeas 54, nays 21.

Yeas :

Messrs. Banks, Barron, Bellinger, Brown of Conecuh, Calhoun, Cameron, Cook of Wilcox, Dale, Ellis, Fleming, Fletcher, Forman, Franklin, Fuller, Gibbons, Graham, Grant, Harris, Hill, Jackson, Jinks, John, Kelly, Kyle, Langley, Lipscomb, Maples, Mastin, Meador, Meadows, Mixon, McClusky, McCorvey, McQueen, O'Brien, Perry, Prowell, Rand, Roach, Robinson, Rogers, Routon, Savage, Seale, Smith of Autauga, Smith of Butler, Smith of Mobile, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Henry—54.

Nays:

Messrs. Brown of Russell, Burks, Camp, Cole, Coleman, Cook of Talladega, Davis, Deans, Ewing, Ford, Gains,

Killebrew, Mayfield, Mills, Montgomery, Moore, Patton, ; Reaves, Scarborough, Smith of Greene, Williams of Bullock—21.

H. 199. To abolish the city court of Decatur, and to transfer all the civil cases therein pending, together with all the dockets, papers and books relating to said cases in said city court, to the circuit court of Morgan county, Alabama; and to transfer all the cases now pending upon the equity docket of said city court, together with all the dockets, papers and books, of every kind whatsoever, to the court of chancery of the county of Morgan,

Was read a third time, at length, and passed—yeas 81, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Gains, Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rabb, Roach, Robinson, Rogers, Rouston, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—81.

On motion the house adjourned until 10 o'clock A. M. to-morrow.

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SIXTEENTH DAY.

HOUSE OF REPRESENTATIVES,

December 1, 1894.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Davis, of the city.

A quorum was present.

## REVISION OF JOURNAL.

Mr. Speaker:

Your committee on revision of the journal has discharged its duty by examining the minutes of the session of 14th and 15th days and find them correct.

D. J. MEADOR,  
Chairman.

## LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Rowe for one day.

## MOTIONS.

Mr. Whitten moved to suspend the rules, call up and put upon its passage H. 160, which motion was lost.

Mr. Calhoun moved

To take from adverse report H. 370 and 371 and refer to education committee.

Carried.

Mr. Williams moved

To have returned from committee on revision of lawa H. 410 and referred to committee of the judiciary.

Carried.

## REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

The committee on engrossed bills report the following bills correctly engrossed :

Nos. 18, 22, 39, 146, 147, 150, 154, 199, 225.

CHAS. A. WHITTEN,  
Chairman.

## RESOLUTIONS.

By Mr. Ott—

Resolved, That beginning on Monday, December 3d, 1894, this house shall convene at 10 A. M. and adjourn at 12 M., and convene again at 3 P. M. and adjourn at pleasure;

16 h

By Mr. Screws—

Resolved by the House of Representatives of the General Assembly of Alabama, That the reports which have been published by an unfriendly press, and circulated by the enemies of this state to the effect that the state authorities were massing troops at the state capitol for the purpose of suppressing imaginary riotous demonstrations on the occasion of the inauguration of the governor of Alabama is absolutely and basely false, and is deserving of the severest condemnation;

Which were referred to the committee on rules.

#### REPORT OF COMMITTEES

Mr. Speaker:

The joint committee to whom was referred the resolution to fix the time of adjournment and reassembling of the general assembly, having considered the same, report the following:

Resolved by the General Assembly of Alabama, That this assembly adjourn on Friday the 7th day of December, 1894, and reassemble on Tuesday the 22d day of January, 1895. Respectfully submitted,

OSCAR R. HUNDLEY,

Committee on part of the senate.

A. S. FLETCHER,

J. W. T. GIBBONS,

SAMUEL WILL JOHN,

Committee on part of the house.

Mr. Kyle moved to non-concur in report of committee.

Carried.

Mr. Knight moved that same committee be instructed to report later. Carried.

Mr. Graham

Made a motion to reconsider vote by which H. 22 was passed on yesterday.

Mr. Ott move to table the above motion, and Mr. Gtt's motion was lost.

The question recurred upon the previous question which was adopted, and the vote by which the bill passed on yesterday was reconsidered.

And the bill was again put upon its passage and lost

-Yeas 38, nays 46.

Yeas:

Messrs. Speaker, Banks, Barren, Boy kin, Brown of Russell, Cameron, Cole, Cook of Talladega, Davis, Deans, Ellis, Fletcher, Fuller, Gibbons, Graves, Harris, Jackson, Jinks, John, Kennedy, Langley, Mayfield, Meadows, Mixon, Moore, O'Brien, Ott, Patton, Rand, Reaves, Robinson, Routon, Savage, Scale, Smith of Butler, Smith of Mobile, Wheelless, Williams of Bullock—38.

Nays:

Messrs. Beeson, Brooks, Brown of Conecuh, Burks, Calhoun, Camp, Coleman, Cook of Wilcox, Curtis, Dale, Ewing, Forman, Franklin. Fulton, Gains, Gewin, Graham, Grant, Hearn, Hill, Killebrew, Knight, Kyle, Lipscomb, Manning, Maples, Mastin, Meador, Mahan, Mills, Montgomery, McClusky, McCorvey, Prowell, Roach, Robbins, Rowe, Scarborough, Smith of Autauga, Smith of Greene, Taylor, Tuck, Turner, Ward, Whitten, Williams of Henry—46.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the report of the joint committee appointed to prepare a program for the inauguration of Governor-elect William C. Oates;

And has amended as therein shown, and as amended has concurred in the house joint resolution raising a joint committee to visit the penitentiary, the convict farm at Spigener's, Alabama, and other places where convicts are worked.

W. L. CLAY.  
Secretary.

#### SENATE MESSAGE.

The house concurred in the senate amendment to house joint resolution raising a joint committee to visit the penitentiary and. other places therein set out.

#### INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, sever-read one time, and referred to appropriate committees, as follows:



By Mr. Jinks—

H. 439. For the improvement of the public roads in Bullock county,

Public roads and highways ;

By Mr. Kelly (by request) (notice and proof)—

H. 440. To relieve Worth Whiteside of Calhoun county, Alabama, a minor, of the disabilities of non-age, Judiciary;

Also, (by request) (with notice and proof)—

H. 441. To amend section seven (7) of an act entitled an act to incorporate the Anniston Water Supply Company, approved February 21st, 1889,

Corporations;

By Mr. Manning—

H. 442. To punish any telegraph company in the State of Alabama that wilfully or negligently fails to deliver a message received by it within a reasonable time,

Commerce and common carriers ;

Also, (by request)

H. 443. To prohibit stock from running at large in parts of beat No. 7 and No. 8 Clay county,

Local legislation;

By Mr. Knight—

444. To levy a tax on local bills,

Ways and means;

By Mr. Fulton—

H. 445. To authorize the county of Jefferson to pay for the rent of an armory for the Huey Guards of East Lake; a military company forming part of the Alabama, state troops,

Military;

By Mr. O'Brien—

H. 446. To regulate sleeping car service on passenger-trains within State of Alabama and to define the charges, for such service,

Commerce and common carriers ;

Also,

H. 447. To incorporate the Alabama Penny Saving & Loan Company,

Corporations ;

Also,

H. 448. To incorporate the United Mine Workers of Alabama,

Corporations;

By Mr. Davis—

H. 449. For the relief of the sureties of R. A. Tompkins, late tax collector of Franklin county,

Appropriations;

Also,

H. 450. To amend section one (1) of an act to incorporate the town of Guin, in the county of Marion and State of Alabama, approved February 21, 1893,

Corporations;

By Mr. Boykin—

H. 451. To incorporate the Phenix City Railway Company, define its rights, privileges, powers, franchises,

Corporations;

By Mr. Brown of Russell—

H. 452. To prohibit the sale or giving away or otherwise disposing of vinous, spirituous or malt liquors or intoxicating bitters or beverages within beat number two (commonly known as Crawford beat) in Russell county,

Temperance;

By Mr. John—

H. 453. To amend section four of an act entitled an act to authorize the increase of the capital stock and bonded indebtedness of private corporations organized under special charter, approved December 10, 1890,

Corporations;

Also,

H. 454. To amend section 1836 of the code of Alabama,

Judiciary;

By Mr. Ellis (by request)—

H. 455. To prevent stock from running at large in beat 18, in Elmore county, west of the Coosa river,

Local legislation;

Also, (by request)

H. 456. To prevent stock from running at large in beats 4 and 8 in Elmore county east of the Coosa river and west of the Tallapoosa river,

Local legislation.

#### BILLS ON SECOND READING.

The chairmen of the several committees, reported favorably on the following bills :

H. 126. To require deeds of assignment for the benefit of creditors to be filed and recorded in the office of the probate judge ;

H. 127, To regulate judicial proceeding in bills of discovery;

H. 206. To give a lien to all ginnerers of cotton in the State of Alabama, and a remedy to enforce the same;

H. 275. To provide for service of summons upon receivers of corporations;

H. 358. To provide for the transfer of cases or suits pending in inferior court of record of this state when the act creating such court has been repealed,

H. 365. To authorize suits to be brought against receivers without the previous leave of court;

H. 372. To amend section 2984 of the code of Alabama;

H. 389. To amend section 3532 of the code of Alabama;

H. 428. To fix the time and place of holding circuit court in the third judicial circuit;

H. 437. To establish the twelfth judicial circuit to provide for the appointment of a judge and solicitor therefor, and to fix the time of holding court therein ;

H. 404. To establish a separate school district in Monroe county, Alabama, and fix the boundaries of same;

s. 25. To repeal an act to prevent the compelling of women and children, or permitting of children under fourteen years of age, to labor in a mechanical or manufacturing business more than eight hours in any day, approved Feb. 28th, 1887 ;

s. 93. To confirm the validity of certain bonds, issued at different times by the board of revenue of Montgomery county, pursuant to an act, approved Dec. 6, 1886, entitled an act to authorize the board of revenue of Montgomery county to issue bonds of said county for an amount not exceeding fifty thousand dollars, for the purpose of building an addition to the court house of said county, and enlarging and improving the same, and for paying for the erection of a county jail in said county, as amended by an act approved February 22, 1887, entitled an act to amend section 1 of an act entitled an act to authorize the board of revenue of Montgomery county to issue bonds of said county for an amount not exceed-

ing fifty thousand dollars for the purpose of building an addition to the court house of said county, and enlarging and improving the same, and for paying for the erection of a county jail in said county, approved Dec. 6, 1886;

s. 87. To amend sections 5, 9 and 10 of an act entitled an act to provide a new charter for the city of Tusculumbia, approved February 28th, 1887;

H. 348. To authorize the court of county commissioners of Lamar county to issue the bonds of the county not exceeding three thousand dollars to repair court house and jail of said county ;

H. 361. To authorize the commissioners court of Tuscaloosa county to establish districts in which stock may be prevented from running at large ;

H. 402. To repeal sections 1, 3 and 4 of an act entitled an act to provide for and regulate the fine and forfeiture fund in the counties of Monroe, Macon, Washington, Jefferson and Randolph, so far as said sections 1, 2 and 4 relate to Washington county ;

H. 387. For the preservation of birds in the county of Barbour;

H. 363. To allow a county surveyor of any county in this state to act as county surveyor of an adjacent county under certain conditions ;

H. 393. To prevent stock from running at large in certain portions of beat No. 3 (three) in the county of Hale, State of Alabama;

H. 401. To provide for the county treasurer keeping a sufficient fund to pay grand and petit jurors and the members of the court of county commissioners, and county stationery bills in Washington county ;

s. 70. To provide for the establishing of township, section, or other subdivision of lands where the original survey marks, monuments, witness-trees etc. have been obliterated, in the county of Jackson;

s. 58. To amend an act, approved on the 13th Feb., 1879, entitled an act for the preservation of game animals and birds in the counties of Mobile, Monroe, Wilcox and other counties therein named, so far as the same relates to Wilcox county ;

s. 104. To protect bridges and other public property on Patsaliga creek and the Conecuh river in Covington, Crenshaw and Pike counties from damage by rafts,

drives and floating logs put in by timbermen in said counties;

H. 373. To regulate the trials of misdemeanors in Coffee county;

H. 269. To amend section 4169 of the code of Alabama;

H. 222. To provide a lien for proprietors or keepers of hotels and boarding houses and to repeal an act entitled an act for the protection of landlords, proprietors or keepers of hotels and boarding houses, approved February 21st, 1893;

H. 318. To amend section 3054 (3465) of the code of Alabama of 1886;

H. 323. To amend section 3091 (3496) of the code of 1886.

The above and foregoing bills were severally read a second time, and placed on the calendar.

#### INAUGURATION OF THE GOVERNOR.

At 11:30 a. m., the house took an informal recess, and at 11 :55 a. m. was called to order again and proceeded to the front steps of the capitol, with the senate, to witness the inauguration of Wm C. Oates, as governor of Alabama. Pursuant to the program heretofore arranged the two houses of the General Assembly convened on the steps fronting the capitol and was called to order by the president of the senate.

Prayer by Rev. Dr. Eager of the city.

Governor Jones introduced the Governor-elect as follows.

"The legislative, executive and judicial branches of the state government and this vast concourse of people mingle together for the time being on this historic spot, to testify in befitting manner to the significance and solemnity of the transfer, in obedience to the will of a free people, of the executive power of a great state from one chief magistrate to another. In laying down the exalted trust which has fallen to my lot, I but voice the general gratification of the people in expressing my own feelings, that the great office falls upon the broad shoulders of a man who has never hesitated to make any sac-

rifice for country or conviction, and whose name is a synonym of honesty and political courage. As he takes up the burden I am about to lay down, I reverently invoke for him the considerate and just judgment of all patriotic people, and the favor of an All-wise God that he may so administer his trust as to bring lasting peace to the people, and that all his acts may redound to the welfare and the glory of our loved Alabama.

"My countrymen, I have the honor to introduce to you the Governor-elect of Alabama."

The Governor-elect, William C. Oates, then delivered the following inaugural address :

Gentlemen of the General Assembly and Fellow-Citizens of Alabama:

Deeply impressed by the solemnities of the occasion, I fully realize the measure of confidence reposed in me by the people. I now dedicate myself to their service, with due appreciation of the responsibilities I assume, under the sanction of a solemn oath. In addition to its obligation, the gratitude I feel will stimulate me to the greatest efforts of which I am capable in the service of the state and the enhancement of the best interests of all our people.

It has been claimed that frauds were committed in the last August election. I have no knowledge whatever of any, and for the good name of our state regret that such a charge has been made. I proclaimed in my speeches during the campaign that I was in favor of fair elections, and so indeed I am. Some irregularities may have intervened ; some frauds may have been committed, but if so they are chargeable alike to the supporters of each candidate, differing only in locality and degree. I am satisfied beyond doubt that I am legally elected by a large majority, or I would not accept the office ; I would never assume the role of a usurper. In the absence of a law providing for a contest, and I regret that there is not one, the General Assembly, under the Constitution must count the votes and determine the result. You have done that and declared that I am legally elected Governor, and hence I will be Governor of our State during the term prescribed by the Constitution.

No allegation of fraud in any of our State elections was ever made until the carpet-baggers and their horde of

hireling natives introduced it for the most corrupt and partisan purposes. They so construed the election law of 1868, that notwithstanding we had a majority of the legal voters, we had to submit forever to the foul domination of ignorance and corruption, or beat them at their own game, and save to our people their homes from the grasp of the tax-gatherer, secure safety to our families, protection to our fair women, education to our children, to revive prosperity and rescue the credit of our beloved State from bankruptcy and dishonor. If in some localities our people at that time resorted to methods inconsistent with the Constitution and our laws as they now are the better to accomplish these results and save themselves from the awful gulf of despair which yawned before them, the recording angel will shed no tear in blotting these acts from the record of final account. Every manly and patriotic heart throughout the length and breadth of the Union, when acquainted with the facts of those days must say, "I blame thee not, my brother, for the preservation of the purity of your altars, your hearthstones and your civilization from the foul desecration which threatened them."

If there were frauds in the last August election, in some of the counties of the black belt, as charged by the defeated candidate, they are of no consequence, for after throwing out every vote to which any reasonable man could possibly object, and admitting the entire vote returned for my competitor, as legal, which I do not, and my majority would then be a large one.

If there were any irregularities, or false counts returned in favor of my election it was attributable to an apprehension of the white people of those counties that they might, in the event of the election of my competitor, be again subjected to flagrant wrongs and humiliations similar to those they endured from 1867 to 1875.

The conduct of our opponents in quitting their party for the sake of official spoils; the gratification of a vaulting ambition without regard to character or qualification has constituted the greatest obstruction to securing perfectly fair elections; and peace and quietude have been denied to the people of the State by the ruthless ambition of one man.

It is impossible to make a law which of itself will ac-

compish this object, if men see proper to evade it, unless it be the viva voce system of voting, which cannot be adopted without a change in our Constitution.

The people of our State are in favor of fair elections.

Our laws upon the subject are honest and as well executed as they are in a majority of the States of the Union; but experience may show that they are in need of further amendment.

Gentlemen, look at the condition of our State : a certain class of our voters are more intelligent than they were twenty years ago and hence less dangerous ; the federal election law has been repealed and now the honesty and fairness of all elections depend upon State regulation.

If our law is defective, amend it, and make it wise, just and fair, unawed and uninfluenced by the clamors, false accusations or threats of any faction or party. Do your duty and let the consequences take care of themselves.

Our people have experienced financial stringency, shrinkage in values and depressed markets for the past two or three years, which have brought some distress and dissatisfaction to them, yet we have much for which to be thankful.

An honest and economical Federal administration, though handicapped by hard conditions and laws of an adverse party has done much toward improvement by lightening the burdens of the people, giving them wider markets for their products, and causing the money of the country to again seek its natural channels of circulation. Much has been done for the relief of the country from oppressive laws and hard conditions. Wool, flax, hemp, salt, copper, grain sacks, bagging and ties for cotton have been placed upon the free list, and the cost of living greatly lessened by the reduction of taxation, whose burdens have been made to reach the rich man's surplus as well as the poor man's necessities. All money has been made equally taxable which is an additional source of revenue to the States. Expenditures by the Federal government have been reduced many millions of dollars and unnecessary offices have been abolished.

In addition, let us be thankful to Him from whom all



good gifts are received for the abundant crops our farmers have harvested the present year, though, unfortunately for them, the great staple, cotton, is selling at a low figure. But that cannot be avoided while such a vast crop is made. The great law of supply and demand will not down at any man's bidding. But let us hope for better times at an early date and we will not be disappointed. They will come, not as a result of the late elections, but because of the work of the present Congress and that the period of depression has about run its course.

As Alabamians, we have much to stimulate our pride. Of forty-four States in the Union, ours is the seventeenth in population, yet it is only in the seventy-fifth year of its Statehood, and the first white settlement was made in it but ninety years ago. We have a genial climate and a fertile soil; we produce over 800,000 bales of cotton a year, which is about one-ninth of all produced in the United States.

Our forests are extensive—in the southern counties the yellow pine, in the western, eastern and northern portions of the State nearly every variety of timber exists in almost exhaustless quantities. In many places marble and the finest building stone abound.

Our mineral wealth is almost incomprehensible. Vast coal fields with mountains of iron ore and limestone for fluxing lie in close proximity, and if fully developed would produce pig iron enough to supply a large part of the demand of the world. The Warrior, Cahaba and Coosa coal fields contain coal enough to supply the world for 250 years, and when in condition for use is worth, at the mines, one hundred and fifty billion dollars, or 300 times as much as all the rest of the property in the State combined. Is there any Alabamian who is not proud of our State and its wonderful resources?

At least two methods of further developing the wealth of the State claim immediate attention. First, the production of steel, which is but in its incipiency ; second, the establishment of cotton factories in every town and village of the State. These would diversify industries and produce incalculable wealth, and should be encouraged by our legislation. Great wealth is never obtained by the production of raw materials alone ; it springs from the finished product.

With all these natural resources, and an industrious, intelligent and patriotic population with great capacity for the production of wealth, let your legislation, which should keep abreast with the progress of the age, be marked by justice and wisdom, and the future of our State is assured.

Let us implore the Democratic Congress at the present session to pass two more great acts : First, to reform our financial system, so as to have a uniform, safe, sound, elastic and abundant currency to meet the necessities of commerce and the business of the people ; and , second, to construct at once the Nicaragua Canal, which would give life and growth to all the seaport towns of the Gulf and furnish a ready market for all our vast mineral and other productions. With these accomplished all the world would soon realize that Alabama is in fact what she is now alphabetically—first in the role of the great States of the Union.

The growth of our State in population and civilization increases its necessity of revenue. Our institutions for the insane, deaf, dumb and blind require an increase in capacity for accommodation as the number who should be cared for annually increases ; and our public schools should, as soon as practicable, receive additional appropriations.

A misapprehension of your predecessors, some years ago, in reducing the rate of taxation, just as the shrinkage in the values of property began, has caused a great deficiency in the State's revenues, which calls loudly upon you, gentlemen, for the remedy. The responsibility is upon you, but I am willing to share it, and will aid you to the best of my ability.

While economy shall always be rigidly, but sensibly practiced, yet it is impossible for a State to do justice to its people in discharging the great trust committed to its officials upon a scant and insufficient revenue. We must not, however, over-burden our people by heavy taxes, but so amend and improve our methods of raising revenue that a sufficiently large amount can be obtained to pay the existing deficiency and to meet the growing demands on the Treasury, without increasing to any great extent the rate which the law now fixes. Five and a half mills, recommended by my honorable predecessor,

is not above the average rate laid by the different States of the Union, and the honor, the credit and the good name of our State must be maintained at any cost.

Gentlemen, hard as the times are, and scarce as money is among us, let us abandon the old cheese-paring policy of finance and launch the ship of State upon the broader sea of enterprise, and as the hard times vanish, as they surely will, we will come safely into port with colors flying, band playing and firing salutes to the prosperity and grandeur of our State.

I am apprehensive that our present convict system will involve the people of the State in further taxation for its support. Though I find no fault with its management under the existing law, there must be a change of policy. Convicts should be treated with humanity, but our system of punishments should be self-sustaining, and not burdensome to the State.

My honorable predecessor, whose administration has been stormy but remarkably successful, has laid before you, gentlemen of the General Assembly, his recommendations, which are able, exhaustive and entitled to grave considerations, and I will not, on this occasion, attempt any additions, but at an early date will submit to you such further recommendations as may seem to me useful in your deliberations.

For myself and all the law-abiding people of Alabama, I wish to return thanks to the retiring Governor for the faithful, able and patriotic manner in which he has discharged every duty pertaining to his high office, and also to his faithful official assistants, and our patriotic and gallant State troops for the preservation of law and order and driving anarchy from our borders, it is to be hoped never to return.

And now, gentlemen of the General Assembly, with an invocation of wisdom, patriotism and harmony in your work of legislation for the good of our beloved State and her noble people, and with assurances of my hearty cooperation, I am ready to take the oath of office.

#### OATH OF OFFICE.

The oath of office prescribed by law was then administered to the Governor-elect Wm. C. Oates by the chief

justice of the supreme court of Alabama, Hon. Robert C. Brickell.

The president of the senate then announced that the purpose of the joint convention was accomplished and the joint convention was dissolved.

The house of representatives then returned to the hall of the house.

Having arrived in the hall, on motion, the house adjourned until 10 a. m. to-morrow.

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#### SEVENTEENTH DAY.

HOUSE OF REPRESENTATIVES,  
DEC. 3, 1894.

Prayer by Bev. Dr. Davis, of the city.

A quorum was present.

The committee on revision of the journal reported the journal of yesterday correct.

#### LEAVE OF ABSENCE.

Was granted to Mr. Turner till Wednesday, to Mr. Cole for two days, to Messrs. Burke, Killebrew and Knight for one day, and to Messrs. O'Brien, McQueen, Montgomery and John for tomorrow.

#### INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate committees, as follows :

By Mr. Hearn—

H. 457. For the better protection of the cotton producer, and information for the public at large,  
Agriculture;

By Mr. Knight—

H. 458. To prevent any attempt at usurpation of public office,  
Judiciary;

By Mr. Banks—

H. 459. Authorizing the abstracts of the burnt records

of Franklin county to be used in evidence where the original instrument is destroyed,

Revision of laws;

By Mr. Rand—

H. 460. To change the boundary lines of the counties of Colbert, Franklin and Lawrence,

Counties and county boundaries ;

By Mr. Williams of Henry—

H. 461. To amend section 3 of an act, approved February 21st, 1893, to charter the town of Headland,

Corporations ;

By Mr. John—

H. 462. To provide for holding circuit and chancery courts, when the judges or chancellors thereof fail to attend regular terms, by supernumerary judges, and to prescribe their powers, duties and pay,

Judiciary;

By Mr. Kennedy—

H. 463. To amend an act entitled an act to amend section 141 of the code, approved December 12th, 1892, as to tag tax on fertilizers,

Agriculture ;

By Mr. Whitten—

H. 464. To prohibit the purchase, sale, barter or exchange of any personal property, covered by a lien or to which another has a claim, by persons having knowledge of the existence thereof, without first obtaining the consent of the holder of such lien or claim to such purchase, sale, barter or exchange.

Revision of laws;

By Mr. Davis—

H. 465. To amend sections 340, 341 and 342 of the Code of Alabama,

Privileges and elections ;

By Mr. Mahan (by request)—

H. 466. To authorize an election to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating beverages of any kind, within precinct number ten, Morgan county, excepting so much thereof as is included within the corporate limits of the town of Hartselle,

Temperance;

By Mr. Forman—

H. 467. To incorporate Spring Lake College,  
Education;

By Mr. McQueen—

H. 468. To increase the number of majors in the regi-  
ment of state troops to three,

Military;

Also,

H. 469. To allow county commissioners in each county  
to appropriate a sufficient sum to pay armory rent for  
military companies located in their respective counties,

Military;

Also,

H. 470. To make an appropriation for the expense of  
encampment of the Alabama state troops, for the years  
1895 and 1896,

Appropriations ;

Also,

H. 471. To authorize the surgeon of each regiment  
of State troops to purchase necessary medicine, band-  
ages, surgical instruments, etc., for the troops while in  
active service,

Military,

Also,

H. 472. To amend section 170 of the Code.

Military;

Also,

H. 473. To amend section 8 of an act entitled an act,  
to incorporate the Black Warrior Coal, Iron Steel and  
Navigation Company, approved December 12th, 1892,

Corporations ;

By Mr. Gibbons—

H. 474. To incorporate the Eufaula District Academy  
of the M. E. Church south,

Education;

By Mr. Rabb (by request)—

H. 475. To establish a board of revenue for Butler  
county, and to authorize and require them to discharge  
the duties and exercise the authority of the court of  
county commissioners of said county,

Judiciary.

#### RESOLUTIONS.

Resolutions were introduced and referred as follows :

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By Mr. Robinson—

Resolved by the house the senate concurring, That a committee consisting of one from the senate, and three from the house be appointed, to inquire what charges of all kinds have been during the past two years and are now levied upon or required to be paid by vessels using the harbor of Mobile, including the channel over the outer bar and thence to Chickasabogue creek, and under what law or authority each such charge is required to be paid ; and what if any legislation is needed and advisable to reduce such charge, and to report by bill or otherwise upon the re-convening of the legislature after recess.

Said committee is authorized to send for persons and papers, and to administer oaths to witnesses, and to examine them. Said committee is authorized to sit during vacation and no expense shall accrue to the State.

Rules;

By Mr. John—

Resolved, That the committee on privileges and elections be, and they are hereby instructed to enquire which if any members of this house participated in or were in any way parties to the illegal and revolutionary attempt to inaugurate or induct into the office of governor a person who was not declared by the general assembly to be legally elected thereto,

Rules;

By Mr. John—

Resolved, That a special committee composed of the chairman of the committee on temperance, and two others to be named by the speaker, be appointed to consolidate all bills on the calendar which have for their purpose the prohibition of the sale of vinous, spirituous or malt liquors or beverages, in special localities and report one bill embracing all these as soon as practicable,

Rules ;

The following resolution was reported favorably and adopted:

Resolved, That the following be added to the rules of the house:

On a motion to commit or to recommit a bill petition or other question no discussion shall be had on the merits of the matter sought to be committed or re-committed. But a brief statement of the provisions thereof

is admissible to show why the same should be so committed or re-committed.

The committee on rules reported adversely the following resolution:

Whereas, it is both unparliamentary and unusual to spread upon the journal of legislative bodies, the proceedings of political conventions, therefore,

Be it Resolved, That a resolution presented to this house on the 29th November, and purporting to have emanated from a political caucus, be and the same is hereby expunged from the journal of this house,

Which report was concurred in.

#### BILLS ON SECOND READING.

The chairmen of the several committees, reported favorably on the following bills :

s. 29. To repeal an act to provide for the election of county superintendents of education so far as the same relates to Bibb county, approved February 13th, 1889, and to provide for the filling of said office by appointment;

H. 129. To amend an act to establish the city court of Gadsden, approved February 18th, 1891, by amending certain sections thereof,

With amendments ;

H. 385. To legalize certain applications from the counties of Butler, Chilton, Cleburne, Coosa, Dale, Elmore, Greene, Lee, Randolph, Sumter, Shelby, Talladega, Tallapoosa, Tuscaloosa, Walker and Wilcox, for relief under the provisions of "an act for the relief of needy confederate soldiers and sailors, residents of Alabama, who from wounds or other cause are now unable to earn a livelihood, and for the widows of such as were killed or died in said war, and have not since re-married, approved February 13th, 1891;

H. 380. To make appropriation to pay a certain reward for absconding felons, earned during the fiscal year 1893;

H. 354. To refund to Mrs. N. E. Young one hundred and twenty dollars paid into the state treasury by her for the purchase of certain lands, which had been bid in by the state for taxes, but which were erroneously so sold and bid in;



H. 424. To amend section 18 of the regulations of the harbor of Mobile, published and promulgated pursuant to the act to provide for the publication and distribution of the code of Alabama, approved February 21st, 1887;

H. 450. To amend section one of an act to incorporate the town of Guin in the county of Marion and state of Alabama, approved February 21, 1893;

H. 447. To incorporate the Alabama Penny Saving and Loan Company;

H. 10. To regulate the landing of goods by steam-boats, vessels and other water craft;

H. 295. To create a separate school district in Cherokee county, Alabama, to be known as Taff school district, and to define the boundaries thereof;

H. 410. To provide for holding the circuit court of Henry county, at Dothan, and to prescribe the jurisdiction thereof, and regulate the proceedings therein.

Mr. Meador from the committee on appropriations returned the following bills, which were referred to committees as follows:

H. 356 to judiciary ;

H. 320 to revision of laws;

H. 398 to public health.

The above and foregoing bills, were severally read a second time, and placed on the calender.

The speaker appointed as the committee from the house on codification,

Messrs. Mayfield, John and Rabb;

And as the committee from the house to visit the penitentiary ,

Messrs. Willett, Roach, Scarborough, Prowell and; Forman.

#### SPECIAL ORDER.

On motion of Mr. Meador H. 290 was made a continuing special order for to-morrow immediately after reading the journal.

#### GOVERNOR'S MESSAGE.

MONTGOMERY, ALA., DEC. 3, 1894.

Mr. Speaker:

I have the honor to inform you that the following bills,

which originated in the house have been approved:

H. 11. To amend section 997 of the code as to the county of Clarke;

H. 19. To allow the constable of Bessemer beat number 33 in Jefferson county, and the constable of Birmingham beat number 37 in Jefferson county, and the constable of Parson beat number 3 in Jefferson county, to appoint deputies;

H.38. To regulate costs in justices courts in Montgomery county.

Very respectfully,  
HARVEY E. JONES,  
Private Secretary.

#### BILLS ON THIRD READING.

H. 186. To incorporate Pisgah Male and Female Academy,

Was read a third time, at length, and passed—yeas 72, nays 0.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Harris, Hearn, Jackson, John, Kelly, Kennedy, Kyle, Langlely, Manning, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Savage, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Williams of Bullock, Williams of Henry—72.

H. 79. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters at or within two miles of the town of Sulligent, county of Lamar.

The amendments offered by the committee were adopted and

The bill

Was read a third time, at length, and passed—yeas 70, nays 0.

Yeas:

Messrs. Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gibbons, Grant, Graves, Harris, Hill, Jackson, Jinks, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, Ott, Patton, Perry, Rabb, Rand, Roach, Robbins, Robinson, Rowe, Routon, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Ward, Wheelless, Williams of Henry—70.

H. 141. To prohibit the selling, giving away or disposing of spirituous, vinous or malt liquors, or of alcoholic bitters, cordials or beverages of any kind in St. Clair county,

Was taken up.

Mr. Kelly moved to postpone the consideration of the bill for one week without losing its place on the calendar.

Mr. Forman moved to lay Mr. Kelly's motion on the table which was carried.

Mr. Ott offered the following amendment:

Amend section 2 in the 11th line after the word sickness add on the recommendation and prescription of a practicing physician.

The amendment was adopted.

Mr. Rabb moved the previous question which prevailed and the bill

Was read a third time, at length, and passed—yeas 63, nays 18.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Deans, Ellis, Ewing, Fielding, Fleming, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, Jackson, John, Kennedy, Kyle, Langley, Maples, Mastin, Meador, Meadows, Mahan, Mills, Mixon, McCorvey, McQueen, Patton, Perry, Rabb, Rand, Reeves, Roach,

Robbins, Rowe, Routon, Savage, Scarborough, Seale, Smith of Butler, Smith of Greene, Summers, Tuck, Ward, Wheelless, Whitten, Williams of Bullock.—63.

Nays :

Messrs. Boykin, Brooks, Curtis, Davis, Fletcher, Jinks, Kelly, Moore, McClusky, O'Brien, Prowell, Robinson, Sanford, Smith of Autauga, Smith of Mobile, Willett, Williams of Henry.—18.

H.174. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating beverages, within the limits of Cleveland School District,

Was read a third time at length, and passed—yeas 80, nays 0.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hill, Jackson, John, Kelly, Kennedy, Kyle, Langley, Lipscomh, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McCorvey, McQueen, O'Brien, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Routon, Sauford, Seale, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Taylor, Tuck, Ward, Wheelless, Whitten, Williams, of Bullock, Williams of Henry—80.

H. J. R. 171. Proposing amendment to section 2 of article II (2) of the Constitution of the State of Alabama,

Was read a third time at length, and passed—yeas 64, nays 24.

Mr. Ward moved the previous question, which motion prevailed and the joint resolution

Was read a third time at length and passed—yeas 64, nays 24.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Boykin Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fleming, Fletcher,

Ford, Forman, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Hearn, Hill, Jinks, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Meador, Meadows, Mahan, Moore, McCorvey, O'Brien, Ott, Perry, Prowell, Rabb, Robbins, Robinson, Rowe, Sanford, Savage, Scarborough, Screws, Scale, Smith of Autauga, Smith of Butler, Smith of Mobile, Taylor, Tuck, Ward, Whitten, Williams of Bullock, Williams of Henry—64.

Nays:

Messrs. Banks, Bellinger, Cameron, Davis, Fielding, Franklin, Fuller, Harris, Jackson, Manning, Mastin, Mayfield, Mills, Montgomery, McClusky, McQueen, Patton, Rand, Reaves, Routon, Smith of Greene, Summers, Wheless, Willett—24.

### GOVERNOR'S MESSAGE

Mr. Speaker:

By direction of the governor I hand you herewith message in writing. Very respectfully,

HARVEY E. JONES,

Private Secretary.

OFFICE OF THE GOVERNOR, }  
MONTGOMERY, ALA., December 3rd, 1894. }

To the General Assembly:

I have the honor to inform you that I have this day, as ex-officio commissioner, under an act "to ratify and confirm the settlement of the existing indebtedness of this state, as proposed in the report of the commissioners appointed under the act approved 17th December, 1874, and which was communicated to the general assembly by the message of the governor of the 24th January, 1876, and carry this settlement into effect by the issuance of new bonds of this state at a reduced rate of interest in adjustment of a portion of said indebtedness and surrender of certain securities held by the state in discharge of another portion of said indebtedness, approved February 23rd, 1876," I executed to ex-Gov. Thos. G. Jones the following receipt:

"MONTGOMERY, ALA., December 3rd, 1894.

Received of Gov. Thos. G. Jones the following bonds which were authorized and issued under the act approved February 23rd, 1876:

Class 'A' bonds of the denomination of \$500 numbered from 7,451 to 8,000 both inclusive; and of the denomination of \$100, numbered from 9,170 to 9,400 both inclusive and numbered 8,001 to 8,350 both inclusive; Class 'B' bonds of the denomination of \$1000 numbered from 579 to 596 both inclusive; Class 'C' bonds of the denomination of \$1,000 numbered from 971 to 1000 both inclusive.

#### RECAPITULATION.

Class 'A,'\$500, No. 7,451 to 8,000 both inclusive;  
 Class 'A,'\$100, No. 9,170 to 9,400 both inclusive;  
 Class 'A,'\$100, No. 8,001 to 8,350 both inclusive;  
 Class 'B,'\$1,000 No. 579 to 596 both inclusive ;  
 Class 'C,'\$1,000, No. 971 to 1,000 both inclusive.

It appears from his receipt to his predecessor and from the record of exchanges made during his term of office that the bonds for which I gave him a receipt are all with which he is chargeable. WM. C. OATES,  
 Governor."

On motion of Mr. Willett, the above message was referred to the committee on ways and means.

s. 9. To authorize the board of revenue of Montgomery county to issue bonds of said county, for an amount not exceeding three hundred thousand dollars, for the purpose of building and improving the public roads of the county, upon a permanent and well considered system, and for erecting bridges in said county,

Was read a third time, at length, and passed—yeas 78, nays 3.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Calhoun, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Frankin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hill, Jackson, Jinks, Kelly, Kennedy, Kyle, Langley, Manning, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mixon, Moore, McClusky, McCorvey, McQueen, O'Brien, Patton, Prowell, Rand, Reaves, Robbins, Robinson, Rowe, Routon, Sanford, Savage, Scarborough, Screws, Seale, Smith of

Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Ward, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry—78.

Nays:

Messrs. Cameron, John and Mills.

H. 162, To amend subdivision 4 of section 453 of the code.

The following amendments were adopted :

Amend by striking out the word "ninety" in the 16th line of first page and insert the words sixty-six and two-thirds ;

Insert after the word "year" in the fourth line on second page, Provided that the assessment herein provided for shall not include the products raised on the farm and in the hands of the original producer,

Was read a third time, at length, and passed—yeas 74. nays 0.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Broxton of Russell, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, Jackson, John, Kelly, Kennedy, Langley, Lipscomb, Maples, Mayfield, Meadows, Mahan, Mills, Mixon, Moore, McClusky, McCorvey, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robinson, Rowe, Sanford, Savage, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Wheelless, Williams of Bullock, Williams of Henry—74.

s. 8. To establish a new city charter for Phenix City, in Lee county, Alabama.

Mr. Wheelless offered an amendment, which was adopted, and the bill

Was read a third time, at length, and passed—yeas 75. nays 0.

Yeas :

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Coleman, Cook of Tal-

Iadega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fleming, Fleteher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jackson, John, Kelly, Kennedy, Langley, Lipscomb, Manning, Maples, Mastin, Meador, Meadows, Mahan, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Sanford, Savage, Scarborough, Scale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Wheelless, Whitten, Williams of Bullock, Williams of Henry—75,

On motion the house adjourned till 10 a. m. tomorrow.

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EIGHTEENTH DAY.

HOUSE OF REPRESENTATIVES,

SATURDAY, Dec. 4, 1894.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Anderson of the city.

A quorum was present.

The committee on revision of the journal reported the journal correct.

LEAVE OF ABSENCE.

Was granted to Mr. Bellinger for to day and tomorrow, and to Mr. Mayfield indefinitely.

INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate committees, as follows :

By Mr. Smith of Autauga—

H.476. To amend section one at an act entitled an act for the relief of needy confederate soldiers and sailors residents of Alabama, who from wounds or other



cause are now unable to earn a livelihood, and for the widows of such as were killed or died in said war, and have not since re-married, approved February 13, 1891,

Appropriations;

By Mr. Grant—

H. 477. To fix the times and places of holding the courts in the first judicial circuit of Alabama, and to regulate the practice therein,

Judiciary;

By Mr. Routon—

H. 478. To incorporate the town of Brantley, in Crenshaw county,

Corporations ;

By Mr. Killebrew—

H. 479. To incorporate the city of Ozark, in the county of Dale,

Corporations;

By Mr. Graham—

H. 480. To authorize the municipality of Selma to force property owners of Selma to connect all waste pipes, sink and water closets on their premises with a sewer,

Corporations;

By Mr. Savage—

H. 481. To prevent justices of the peace and notaries public in the county of Fayette from bringing to judgment defendants living in another precinct contrary to the provisions of section 3303 of the code of 1886,

Judiciary;

By Mr. O'Brien—

H. 482. To amend sections 8 and 10 of an act to create the board of education for the city of Birmingham and to prescribe the duties and powers of the same,

Education;

By Mr. Kennedy—

H. 483. To amend section four hundred and ninety (490) of the code of Alabama relating to what shall be noted by tax assessors on list and poll tax book,

Ways and means;

By Mr. Prowell (with petition)—

H. 484. To repeal an act entitled an act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors in Magnolia, Horse Creek

and Hill's precinct in Marengo county, approved February 17, 1885, so far as the same applies to Magnolia beat in said county,

Temperance ;

By Mr. Meador—

H. 485. To appropriate the sum of eleven hundred and sixty-three 20-100 dollars to pay for expenses of legislative assembly of 1892 and 1893,

Appropriations ;

By Mr. Coleman—

H. 486. To authorize and require the county superintendent of education of Marshall county, Alabama, to disburse certain public school funds belonging to township 9, range 4 east, in Marshall county, Alabama,

Education;

By Mr. Brooks—

H. 487. To levy taxes for the use of the state,

Ways and means;

By Mr. Boykin—

H. 488. To regulate pleadings in criminal cases, where the title, ownership or possession of property, the subject of the offense, or which it is necessary to aver the title to or the ownership or possession of, is alleged to be in a corporation, or in a partnership,

Judiciary;

By Mr. Clark—

H.489. To provide for the examination of witnesses on motions for the appointment of receivers,

Judiciary;

By Mr. Ott—

H. 490. To incorporate the Lauderdale County Fair Association,

Corporations;

By Mr. Kyle—

H. 491. To prevent the taking or removal of property from this state to any other state, with the intent to avoid the laws of this state or to subject the property to legal process in such other state,

Revision of laws;

By Mr. Mayfield—

H.492. To amend section, 4204 of the code of Alabama,

Revision of laws;

- Also,  
 H. 498. To amend section 4131 of the code of Alabama,  
 Judiciary;  
 Also,  
 H. 494. To amend section 3421 of the code of Alabama,  
 Judiciary;  
 By Mr. Coleman—  
 H. 495. To amend section 352 (259) of the code of Alabama,  
 Privileges and elections.

#### BILLS ON SECOND READING.

The chairmen of the several committees, reported favorably on the following bills :

H . 452. To prohibit the sale or giving away or otherwise disposing of vinous, spirituous or malt liquors or intoxicating bitters or beverages within beat number two (commonly known as Crawford beat) in Russell county;

H. 391. To prohibit the selling, bartering, exchanging or giving away of spirituous, vinous or malt liquor, intoxicating bitters or beverages in beat eight and beat eighteen, Elmore county, Alabama;

H. 378. To prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters or cordials within five miles of Friendship Baptist church, in township eighteen, range twenty-one, in Elmore county;

H. 327. To prohibit the sale, giving away or otherwise disposing of vinous, malt or spirituous liquors within four (4) miles of Culvert Chapel in Washington county, Alabama;

H. 280. To prohibit the selling, bartering, exchanging or giving away spirituous, vinous or malt liquors, intoxicating bitters or beverages within four miles of the Methodist church at Fair Ford, in Washington county;

H. 417. To establish a separate school district to be known as Boaz district in Marshall county,  
 (With substitute) ;

H. 392. To incorporate the Etowah male and female institute, in Etowah county, Alabama;

H.371. To amend an act entitled an act to provide for the election of county superintendents of education, approved February 13, 1889;

H. 304. To regulate the issue of garnishments and the proceedings thereon, before justices of the peace and notary publics ex officio justices of the peace in the county of Escambia;

H. 272. To encourage the cultivation of the grape and other fruits in this state and to provide for and regulate the sale of vinous liquors produced from fruits grown by cultivation and also indigenous or wild fruits of all kind and descriptions from which wine can be made, and to allow wines made in this state from fruits grown in this state, to be sold by the maker or producer of such wine, without a license, in all the markets of Alabama ;

H. 336. To provide a clerk for the county court of Clarke county, and to regulate his fees;

H. 337. To repeal an act entitled "an act to regulate trials by juries in the county court of Clarke county, approved February 16th, 1891 ;

H. 347. To give to blacksmiths and wood workmen a prior lien on crops in the county of Lamar;

H. 400. To repeal an act entitled an act to amend an act to more effectually provide for the payment of grand and petit jurors in the county of Washington, approved February 19th, 1875, and to repeal an act entitled an act to more effectually provide for the payment .of grand and petit jurors of the county of Washington;

H. 309. To amend section 4191 of the code of Alabama, (With amendment);

H. 458. To prevent any attempt at usurpation of public office;

H. 332. To amend section 4796 of the code;

H. 319. For the protection of certain game birds; (With amendment);

H. 260. To amend section 3091 of the code of 1886;

H. 191. To make void any agreement whereby the title to personal property is reserved by (he vendor, and possession given to the vendee, unless said agreement is in writing, describing the property, signed by the vendee and recorded,

(With substitute) ;

H. 136. To prohibit courts from giving the general, or affirmative charge;

H. 155. To secure to wage-earners employed in the business of mining, manufacturing, transportation or merchandise or hotels or other industries, a priority over other creditors in case of insolvency;

s. 35. To amend an act to establish the city court of Gadsden, approved February 18, 1891, by amending certain sections thereof,

(With amendment).

The above and foregoing bills, were severally read a second time, and placed on the calendar.

#### SPECIAL ORDER.

On motion of Mr. Knight H. 458 was made a special order for Dec. 5 immediately after reading the journal.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr Speaker:

The committee on engrossed bills report the following: bills correctly engrossed: Nos. 79, 174, 141, 162, 171, 186.

CHAS. A. WHITTEN,  
Chairman.

#### HOUSE OF REPRESENTATIVES

Mr. Speaker:

The committee on enrolled bills report the following-bills correctly enrolled:

H. 61. To amend an act entitled an act to better provide for the indigent poor people of Clarke county, approved December 12, 1892;

H. 89. To prohibit the sale, giving away, or otherwise disposing of any alcoholic, vinous or malt liquors or other intoxicating drinks, or beverages, within four miles of the Methodist Episcopal Church South, in Triana, and the Methodist Episcopal Church South, known as Wilson's Chapel, and the Methodist Episcopal Church known as New Centre Grove and McDonnell's Chapel, all situated in Madison county, Ala;

H. 105. To incorporate the Cumberland Presbyterian-, Seminary at Piedmont, Alabama;

H. 151. To authorize the mayor and aldermen of the town of Attalla, in Etowah county, to issue bonds of said town for the purpose of providing a sinking fund for the town of Attalla, viz : to improve and repair electric light and water works plants, repair and improve public school buildings and general water and electric light supply.

J. H. MONTGOMERY,  
Chairman.

#### SIGNING BILLS.

The speaker of the house in the presence of the house, immediately after their titles had been publicly read by the clerk signed the bills whose titles are set out in the above and foregoing report of the committee on enrolled bills.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended as therein shown and passed the house bill,

H. 91. To amend an act entitled an act to incorporate the Mobile Gas Light and Coke Company, approved February 23, 1866;

And has passed,

H . 61. To amend an act entitled an act to better provide for the indigent poor people of Clarke county, approved December 12th, 1892;

H. 89. To prohibit the sale, giving away, or otherwise disposing of, any alcoholic, vinous or malt liquors or other intoxicating drinks, or beverages, within four miles of the Methodist Episcopal Church in Triana, and the Methodist Episcopal Church South, known as Witsons Chapel, and Methodist Episcopal Church known as New Centre Grove and McDonell's Chapel, all situated in Madison county, Alabama ;

H. 105. To incorporate the Cumberland Presbyterian Seninay at Piedmont, Alabama;

H. 151. To authorize the mayor and aldermen of the town of Attalla, in Etowah county, to issue bonds of said town for the purpose of providing sinking fund for the town of Attalla. viz : to improve and repair electric

light and water-works plants, repair and improve public school buildings, and general water and electric light supply;

And the president has appointed the following committee on the part of the senate :

Under the house joint resolution on codifying the statutes, Messrs. Moody and McElderry.

Under the house joint resolution raising a joint committees to visit the penitentiary and other prisons. Messrs. Sayre, Walker of Marengo and Browder.

And the senate has originated and passed the following bills :

s. 98. To establish a separate school district in Winston county, to be known as the "Dismal School District;

s. 97. To incorporate Graham College in Randolph county, Alabama;

s. 23. To incorporate Ross Institute at Heflin, in Cleburne county ;

s. 99. To amend section 1398 of the code, so far as the same relates to the counties of Cullman, Blount and Winston;

s. 102. To amend section 4511 of the code ;

s. 109. To repeal an act entitled an act to regulate the practice in the circuit court of Chactow county, approved February 14, 1893;

s. 95. To amend section 759 of the code ;

s. 118. To make an appropriation for the payment of interest on temporary loan and carry out other arrangements made by the governor with the New York Security & Trust Company to protect the credit of the State of Alabama;

s. 42. To amend 3588 of the code.

W. L. CLAY, Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once, and referred to the committees, as follows :

Judiciary, s. 42 and 95 ;

Revision of laws, s. 102 and 109;

Education, s. 97, 98 and 23 ;

Appropriations, s. 118;

Public roads and highways, s. 99 ;

And the house concurred in the senate amendment to, H. 91. To amend an act entitled an act to incorporate the Mobile Gas Light and Coke Company, approved February 23rd, 1866;

Yeas 63, nays 0.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Jackson, Jinks, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Meador, Meadows Mahan, Mixon, Patton, Perry, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—63.

#### BILLS ON THIRD READING.

H. 193. To divide the county of Madison into four commissioners' districts, and to prescribe the term of office of the members of the commissioners' court,

Was read a third time, at length, and passed—yeas 68, nays 0.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Cameron, Camp, Cook of Talladega, Dale, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jackson, Jinks y Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Maples, Meadows, Mahan, Mils, Mixon, McClusky, McCorvey, Ott, Patton, Perry, Prowell, Reaves, Roach, Robbins, Robinson, Rowe, Savage, Scarborough, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—68.

s. 25. To repeal an act to prevent the compelling of



women and children or permitting of children under fourteen years of age to labor in a mechanical or manufacturing business more than eight hours in any day, approved February 28, 1887,

Was read a third time, at length, and passed—yeas 53, nays 7.

Yeas:

Messrs. Banks, Barron, Beasley, Beeson, Boykin, Brooks, Brown of Russell, Burks, Burns, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Hearn, Jackson, Jinks, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Maples, Meador, Meadows, Mahan, Mills, McCorvey, Patton, Perry, Prowell Reaves, Roach, Robbins, Robinson, Scarborough, Williams of Bullock, Williams of Henry—58.

Nays :

Messrs. Cameron, Deans, Fuller, Manning, Mixon, Rabb, Taylor—7.

s.6. To authorize the mayor and councilmen of the city of Demopolis to issue bonds of the city of Demopolis. for an amount not exceeding fifteen thousand dollare, bearing not more than six per cent. interest per annum, payable semi-annually, for the purpose of erecting and establishing water works for said city.

Mr. Cameron offered the following amendment:

Strike out the words, "payable in gold of standard weight and fineness" and insert the words "payable in legal and lawful money."

Mr. Meador moved the previous question, which motion prevailed.

The yeas and nays were called for on the adoption of the motion, and those who voted yea are :

Yeas:

Messrs. Banks, Brown of Conecuh, Burks, Burns, Cameron, Camp, Coleman, Cook of Talladega, Ellis, Ewing, Fielding, Ford, Forman, Franklin, Gains, Harris, Hearn, Hill, Jackson, Jinks, Kelly, Killebrew, Langley, Mastin, Meadows, Mills, Mixon, Reaves, Robbins, Routon, Sanford, Savage, Scarborough, Smith of Butler, Taylor, Wheelless—36.

And those who voted nay are ;

Messrs. Speaker, Barren, Beasley, Beeson, Brooks, Brown of Russell, Calhoun, Cook of Wilcox, Curtis, Dale, Davis; Fleming, Fletcher, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Kennedy, Knight, Kyle, Lipscomb, Maples, Meador, Mahan, Moore, McClusky, McCorvey, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robinson, Rowe, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Whitten, Williams of Bullock, Williams of Henry—50.

And the amendment was lost.

The following amendment was adopted : Amend by striking out the words, "county and" in next to the top line on the third page, and the bill

Was read a third time, at length, and passed—yeas 57, nays 23.

Yeas :

Messrs. Speaker, Barren, Beeson, Brooks, Brown of Russell, Burns, Calhoun, Cameron, Camp, Coleman, Cook of Wilcox, Curtis, Dale, Davis, Deans, Fleming, Fletcher, Forman, Fuller, Fulton, Gewin, Gibbons, Grahaam, Grant, Graves, Kelly, Kennedy, Knight, Kyle, Lipscomb, Maples, Meador, Mahan, Moore, McClusky, McCorvey, Ott, Patton, Perry, Prowell, Rabb, Rand, Robinson, Rowe, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Whitten, Williams of Bullock, Williams of Henry.—57.

Nays :

Messrs. Banks, Beasley, Brown of Conecuh, Burks, Cook of Talladega, Ellis, Ewing, Franklin, Gains, Harris, Hearn, Jackson Jinks, Killebrew, Langley, Meadows, Mills, Mixon, Reaves, Robbins, Sanford, Taylor, Wheel-ess.—23.

Mr. Cameron changed his vote from nay to yea and gave notice that on to-morrow he would make a motion to reconsider the-vote by which the bill passed.

Mr. Meador moved to reconsider the vote by which the bill passed and on motion Mr. Meador's motion was (tabled).

#### SPECIAL ORDER.

H. 290. To make appropriations for the ordinary ex-

penses of the executive, legislative and judicial departments of the state, for interest on the public debt and for public schools,

Was taken up.

Mr. Meador offered the following amendment:

Amend section 1 by adding after subdivision 11 the following as subdivision 11½: "For the compensation of one clerk in the office of the attorney general, six hundred dollars for each year, twelve hundred dollars in all,"

Which was adopted.

Mr. Meador offered the following amendment:

Amend sub-division 18 by striking out "twelve hundred dollars" where it occurs and inserting "fifteen hundred dollars" in lieu thereof ; and by striking out the words, "two thousand four hundred" where they occur and inserting "three thousand" in lieu thereof,

Which was adopted.

Mr. Meador offered the following amendment:

Amend sub-division 19 of section one by inserting after the words "Supreme Court" the following : "to be employed by the court and paid on the warrant of the chief justice,"

Which was adopted.

Mr. Meador offered following amendment:

Amend section one by striking out sub-division twenty-three and by renumbering all subsequent sub-divisions to correspond,

Which was adopted.

Mr. Meador offered the following amendment:

Amend subdivision 26 of section one by striking out the following words where they occur : "Reports of the state institutions," also "Geological Survey," also "and all other printing,"

Which was adopted.

Mr. Meador offered the following amendment:

Amend section one by striking out sub-division 32 and by renumbering all subsequent sub-divisions to correspond,

Which was adopted,

And the bill as amended, was read a third time and passed—yeas 72, nays 6.

Yeas:

Messrs. Speaker, Barren, Boykin, Brown of Russell, Burns, Calhoun, Cameron, Camp, Coleman, Cook of Wilcos, Curtis, Dale, Davis, Fielding Fleming, Fletcher, Forman, Fuller, Fulton, Gewin, Gibbons, Graham, Grant,, Graves, Jackson, Jinks, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Meador, Meadows, Mahan, Mills, Mixon, Moore, McClusky, McCorvey, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbing, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry—72.

Nays :

Messrs. Banks, Beasley, Beeson, Ellis, Franklin, Hearn—6.

On motion the house adjourned until 10 o'clock A. M. to-morrow.

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NINETEENTH DAY.

HOUSE OF REPRESENTATIVES,

DEC. 5, 1894.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Anderson, of the city.

A quorum was present.

The committee on revision of the journal reported the journal of yesterday correct.

The joint committee to fix the time for adjournment and reassembling of the general assembly having considered the same, report the following:

Mr. Speaker:

The joint committee to whom was referred the resolution to fix the time of adjournment and reassembling of the general assembly having considered the same, report the following:

Resolved, by the general assembly of Alabama, That

this assembly adjourn on Monday, the 10th day of December, 1894, and reassemble on Friday, the 15th day of January, 1895.

Respectfully submitted,

OSCAR R. HUNDLEY,  
WM. F. HOGUE,  
of Senate,  
A. S. FLETCHER,  
J. W. T. GIBBONS,  
SAM WILL JOHN,  
of the House.

Mr. Whitten moved to non-concur in the report of the joint committee, which motion was, on motion of Mr. Ott, tabled.

### RESOLUTIONS

were offered as follows:

By Mr. Doyle—

Resolved, That when the house adjourn to-day it adjourn to meet at 3 P. M.,

Which was referred to the committee on rules.

By Mr. Hearn—

A resolution providing for the appointment of a committee to investigate the alleged election frauds,

Which was referred to the committee on rules.

### SPECIAL ORDERS.

On motion of Mr. John, H. 437 was made a special order immediately after the report of standing committees.

On motion of Mr. Williams of Henry, H. 410 was made a special order immediately after the disposition of H. 437.

### INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate committees, as follows:

By Mr. Smith of Autauga.

H. 496. To punish any person who knowing the contents thereof, sends, delivers, utters, ports, or directly or indirectly causes to be received by or made known to another any letter or writing or any verbal message threatening to burn, injure or destroy conditionally or unconditionally any house, store, shop, barn, gin, or other building, or any house or pen containing corn or cotton or other agricultural produce or any agricultural produce whether in or under any building or not,

Judiciary ;

By Mr. Gibbons—

H. 497. To amend and ratify the charter of the East Alabama Fertilizer Company, incorporated in Barbour county, Alabama, under the general statutes of said state, and to extend and enlarge the powers of said company,

Corporations;

By Mr. Routon—

H. 498. To regulate the granting of license to retail vinous, spirituous or malt liquors in Crenshaw county,

Temperance;

By Mr. Franklin—

H. 499. To fix the commission on county and-poll taxes of the tax assessor of DeKalb county,

Local legislation;

Also,

H. 500. To fix the commission on county and poll taxes of the tax collector of DeKalb county,

Local legislation;

By Mr. Mills—

H. 501. To prevent any person from catching any fish in any stream in beats one and two in Geneva county, except by hook and line and to prohibit the explosion of dynamite in any stream in said beats one and two in said county,

Local legislation;

By Mr. Mills—

H. 502. To incorporate Coffee Springs Camp Grounds in Geneva county; to authorize and empower the trustees, cabin owners, and tent holders to pass and enforce rules and regulations to maintain and preserve good order within one mile of said camp grounds and to control its management,

Corporations;

By Mr. John—

H. 503. To amend section 3069 of the code of Alabama,

Judiciary;

By Mr. McQueen, (with petition)—

H. 504. To prevent the sale or barter of alcoholic, spirituous, vinous and malt liquors, beverages and fruits preserved in alcoholic liquors within the corporate limits of the town of Tuskegee, Alabama,

Temperance ;

By Mr. Langley (with petition)—

H. 505. To prohibit the sale or otherwise disposing of any alcoholic, vinous or malt liquors or other intoxicating drinks or beverages within three miles of Zion's Hill Missionary Baptist church in beat 17 Tallapoosa county,

Temperance;

By Mr. Meadows—

H. 506. To better provide for the establishment and working of the public roads in Tallapoosa and Randolph counties, approved February 21, 1893,

Public roads and highways,

By Mr. Cook—

H. 507. With reference to creating bonded debts for counties, municipalities and divisions and to prescribe the manner in which elections shall be held thereon and to authorize the same and for other purposes,

Privileges and elections ;

By Mr. Hill—

H. 508. To amend section 1212 of the code,

Banking and insurance;

Also,

H. 509. To amend section 1211 of the code,

Banking and insurance ;

Also,

H. 510. To amend section 1207 of the code,

Banking and insurance ;

By Mr. McQueen (with notice and proof and petition)—

H. 511. For the relief of John S. Oldham and George H. Bodeker and to authorize and require the city of Birmingham to pay them for services as police sergeants,

Local legislation;

By Mr. Burks—

H. 512 To provide an income tax in the State of Alabama,

Ways and means;

By Mr. Willett—

H. 513. For the better protection of persons assured in fire insurance companies,

Banking and insurance ;

Also,

H. 514. To levy taxes for the use of the state,

Ways and means ;

By Mr. Meador—

H. 515. To amend section 1 of an act to regulate the taxation of insurance companies, approved February 20, 1893,

Judiciary;

By Mr. Lipscomb—

H. 516. To further define the eligibility and competency of county superintendents of public schools in the State of Alabama,

Education.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the house amendment to the house amendment to the bill,

s. 6. To authorize the mayor and councilmen of the city of Demopolis to issue bonds of the city of Demopolis for an amount not exceeding fifteen thousand dollars bearing not more than six per cent. interest per annum, payable semi-annually for the purpose of erecting and establishing waterworks for said city ;

And has adopted joint resolution herewith sent,

Instructing the president of the senate and speaker of the house to erase their signatures from house bill 5.

W. L. CLAY. Secretary.

#### SENATE MESSAGE.

The resolution above referred to was referred to the committee on rules.



## MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bills, your signature thereto is requested :

s. 9. To authorize the board of revenue of Montgomery county to issue bonds of said county, for an amount not exceeding three hundred thousand dollars, for the purpose of building and improving the public roads of the county, upon a permanent and well considered system, and for erecting bridges in said county;

s. 25. To repeal an act to prevent the compelling of women and children, or permitting of children under fourteen years of age, to labor in a mechanical or manufacturing business more than eight hours in any day, approved Feb. 28th, 1887.

W. L. CLAY, Secretary.

## SIGNING BILLS.

The speaker of the house in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set out in the above and foregoing senate message.

## BILLS ON SECOND READING.

The chairmen of the several committees reported favorably on the following bills :

H. 463. To amend an act entitled an act to amend section 141 of the code, approved December 12th, 1892;

H. 451. To incorporate the Phenix City Railway Company, define its rights, privileges, powers, and franchises ;

H. 439. For the improvement of the public roads in Bullock county;

H. 301. To confirm the incorporation and organization of the bank of Selma and to grant it additional powers ;

H. 479. To incorporate the city of Ozark in the county of Dale ;

H. 299. To regulate the disposition of the poll tax fund;

H. 370. To amend an act entitled an act to regulate the apportionment of the school fund in this state by the superintendent of education, approved February 10, 1891, so far as relates to Clarke county (with substitute) ;

H. 474. To incorporate the Eufaula District Academy of the M. E. Church South ;

s. 65. For the preservation of game in Conecuh county;

s. 86. To regulate the payment of claims against the fine and forfeiture fund of Geneva county;

s. 64. To establish the Hayne school district in Lowndes county;

s. 82. To protect fish in Deer river, East Fowl river, West Fowl river, and the tributaries of those streams in Mobile county ;

H. 223. To incorporate the Coosa Iron and Railroad Company.

The above and foregoing bills were severally read a second time and placed on the calendar.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

The committee on engrossed bills report the following bills correctly engrossed:

H. 103, 290. CHAS. A. WHITTEN,  
Chairman.

#### HOUSE OF REPRESENTATIVES.

Mr. Speaker:

The committee on enrolled bills report the following bill correctly enrolled :

H. 91. To amend an act entitled an act to incorporate the Mobile Gas Light and Coke Company, approved February 23, 1866.

J. H. MONTGOMERY,  
Chairman.

#### SIGNING BILLS.

The speaker of the house in the presence of the house, immediately after its title had been publicly read by the

clerk, signed the bill whose title is, set forth in the foregoing report of the committee on enrolled bills.

#### BILLS ON THIRD READING.

H . 458. To prevent any attempt at usurpation of public office,

Was read a third time, at length, and passed—yeas 49, nays 28.

Yeas:

Messrs. Speaker, Barron, Boykin, Brown of Russell, Calhoun, Cameron, Camp, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Fletcher, Gibbons, Graham, Grant, Craves, John, Kelly, Kennedy, Knight, Lipscomb, Maples, Mayfield, Meador, Mahan, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Robinson, Rowe, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Turner, Whitten, Williams of Bullock, Williams of Henry—49.

Nays :

Messrs. Banks, Beasley, Beeson, Brown of Conecuh, Coleman, Cook of Talladega, Deans, Ellis, Ewing, Fielding, Forman, Franklin, Gains, Harris, Hearn, Jackson, Manning, Langley, Mastin, Meadows, Mills, Mixon, Reaves, Robbins, Savage, Smith of Butler, Summers, Taylor, Wheelless—28.

And the bill was ordered forthwith to the senate, without engrossment.

Mr. Ott moved to take up H. 226, which motion prevailed ,

And the bill,

H. 226. To repeal an act entitled "an act to establish the district court of Colbert and Lauderdale counties," approved February 13th, 1891; and to prescribe for the disposition of causes pending in said court;

Was read a third time, at length, and passed—yeas 70, nays 0.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Gibbons, Graham,

Grant, Graves, Harris, Jackson, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Mahan, Mayfield, Meador, Meadows, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Pro-well, Rand Reaves, Robbins, Robinson, Rowe, Routon, Savage, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck Turner, Wheelless, Whitten, Williams of Bullock, Williams of Henry—70.

And the bill was ordered forthwith to the senate without engrossment.

Asking a donation from the federal government of Mount Vernon Barracks, to the State of Alabama, for public uses,

Was read a third time, at length, and passed—yeas 72, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Jackson, Kelly, Kennedy, Knight, Langley, Maples, Meador, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Savage, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—72.

H. 160. To prevent laborers voluntarily entering into contracts in writing in the county of Lowndes for a term of one year or less, from leaving or abandoning the service of their employers without just cause and with the intent to defraud them.

The following amendments were adopted :

By adding section 1½;

Also, by adding the counties of "Perry, Madison, Dallas, Hale, Monroe, Barbour, Baldwin, Sumter, Crenshaw, Clarke, Washington, Wilcox, Lamar, Pike, Henry, Tuscaloosa, Colbert, Butler, Choctaw, Bullock and Ma-

rengo," so as to make the provisions of said act apply to said counties;

Also, by insertitg the words "which contract shall be attested by two persons who can read and write" after the phrase "who has voluntarily contracted in writing" in section one.

Mr. Willett moved to table the bill, and pending amendments, and the motion prevailed—yeas 56, nays 30.

Yeas:

Messrs. Speaker, Banks, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Camp, Cole,, Coleman, Cook of Talladega, Curtis, Davis, Deans, Ellis, Ewing, Fielding, Ford, Forman, Franklin, Fulton, Gains, Grant, Harris, Hearn, John, Kelly, Kennedy, Killebrew, Langley, Lipscomb, Mastin, Meadows, Mahan, Mills, Mixon, Montgomery, McClusky, O'Brien, Perry, Rabb, Roach, Robbins, Robinson, Savage, Scarborough, Screws, Smith of Autauga, Smith of Greene, Summers, Taylor, Turner, Wheelless, Willett—56.

Nays:

Messrs. Barren, Beasley, Calhoun, Cameron, Cook of Wilcox, Dale, Fleming, Fletcher, Gewin, Graves, Hill, Jinks, Knight, Kyle, Maples, Meador, McCorvey, Patton, Prowell, Rand, Rowe, Routon, Seale, Smith of Butler, Smith of Mobile, Tuck, Ward, Whitten, Williams of Bullock, Williams of Henry—30.

s. 93. To confirm the validity of certain bonds, issued at different times by the board of revenue of Montgomery county, pursuant to an act, approved Dec. 6, 1886, entitled an act to authorize the board of revenue of Montgomery county to issue bonds of said county for an amount not exceeding fifty thousand dollars, for the purpose of building an addition to the court house of said county, and enlarging and improving the same, and for paying for the erection of a county jail in said county, as amended by an act approved February 22, 1887, entitled an act to amend section 1 of an act entitled an act to authorize the board of revenue of Montgomery county to issue bonds of said county for an amount not exceeding fifty thousand dollars for the purpose of building an addition to the court house of said county, and enlarging: and improving the same, and for paying for the erection.

of a county jail in said county, approved Dec. 6, 1886;

Was read a third time, at length, and passed.

Yeas 78, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Hill, Jackson, Jinks, John, Kelly, Kennedy, Kellebrew, Knight, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Meador, Meadows, Mahan, Mills, Mixon, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rand, Reaves, Roach, Robinson, Rowe, Routen, Savage, Scarborough, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Willett, Williams of Bullock—78.

#### MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,  
OFFICE OF THE GOVERNOR,  
MONTGOMERY, Dec. 5th, 1894.

Mr. Speaker:

By direction of the governor I have the honor to hand you, herewith, a message in writing.

Very respectfully,

HARVEY E. JONES,  
Private Secretary.

Gentlemen of the General Assembly :

In accordance with my official duty to advise you from time to time of whatever legislation I deem expedient for the general welfare of the people of the state, I submit the following for your consideration :

19 h

The deficiency of the revenue to meet the absolute necessities of the state I hope will be promptly provided for. Our state affairs are now being administered upon borrowed money at the rate of six per cent. interest per annum. True economy and public credit alike demand a change as soon as practicable. The revenue of the state should fully meet its necessities. Our credit has always—even in the dark days of the war—been our pride. For twenty years we have maintained it at the high standard it reached before reconstruction broke it down. We should never allow it to be impaired.

My immediate predecessor in his biennial message clearly explained how this deficiency originated, and recommended a very moderate increase in the tax rate for the purpose of meeting it. I fully concur in the recommendation but it will not of itself raise a sufficient sum. I advise that an increase of half a mill be made at once before the beginning of the new tax year, but with a provision authorizing the governor to suspend its operation whenever, in his opinion, a sufficient revenue will be obtained without it.

I urge upon your attention the immediate consideration of the revision and improvement of the methods of assessment of taxes in every respect necessary to prevent escape of property therefrom which is subject to taxation. The masses of the people, men of moderate means and the farmers of the State generally list their property for taxation and do not try to escape therefrom, but many shrewd business men, traders and speculators, in obedience to their selfish interest and aided by an elastic conscience, evade the assessment of a part of their taxable property, concealing or hiding it from the assessor. To allow this to continue is utterly unfair to the honest tax-payer. Men of property, those doing a large business, the corporations and all classes should be required in every case to pay their due share of taxes to support the state government, To allow them to escape, to any considerable extent, leaves to the legislature no means

of raising sufficient revenue except to increase the tax rate, which is unfair and an additional burden to the honest tax-payer. There is a great and unjust discrimination in taxable values, as assessed, which calls aloud for correction by some process of equalization. I am aware that it is difficult of accomplishment, yet it is the duty of the general assembly to try the experiment. Under-valuation in assessment is quite common. The cash value of the property is the true criterion, and when assessed at figures far below this standard, there should be some means of correction. I suggest as a practicable and just method that all lands be classified as to valuation and be assessed accordingly. There should be at least five or more grades, and none less than one dollar per acre and the highest in no case above the cash value of the land.

Every tax-payer who gives in his property at a fair valuation has a right to demand that all other tax-payers be compelled to pay upon their property in like manner. Equality of burdens and benefits should characterize the course of every government towards its people.

If no property is allowed to escape taxation, and it be assessed at anything approximating its true value, the state will have sufficient revenue without any increase in the rate of taxation. The general assembly owes it to the people to reform our tax laws and obtain a sufficiently large revenue from that source, which I believe is perfectly practicable. I do not hesitate to recommend, as one change in that direction, a different method of selecting the tax assessors from that now provided : A state commission appointed by the governor with the power to classify real estate and regulate assessments and supervise the same throughout the state; and a county board composed of the assessor, who should be chosen by the court of county commissioners, and one to be appointed by the governor, or the state board of assessors, with an appeal to the said state board in case of division or disagreement between them, and in all other cases in which any tax-payer is aggrieved, would be the best solution of the trouble we now have in the regulation of assessments and equalization of tax values. The cost of such commissions would be insignificant in comparison with the good they would accomplish.



It seems to me that a higher license might be required for the privilege of selling liquors, both wholesale and retail, as well as an ad valorem tax per keg and per barrel without becoming burdensome or exorbitant. This would considerably increase the revenue derivable from that source. These are luxuries and not a necessity, and hence proper subjects of heavy taxation.

Native wines should be exempt from special license, and; the owners only be required to pay on an ad valorem valuation—as on other property. Our state is well adapted to the growth of nearly every variety of grapes, and hence can be made a wine producing country ; and every legitimate industry is an addition to the wealth of the state. The more the people become accustomed to the use of native wines, the less intoxicating liquors will be consumed, and thus will the health and morals of the people be improved and happiness be brought to many homes whose peacefulness is frequently disturbed by beastly intoxication. High license and strict regulation of the sale of intoxicants and the encouragement of wine making are worth more to society than prohibition. The latter is intended for a good purpose, but a considerable percentage of the people will drink some kind of liquor, and when they can't buy it they will make it. My opinion is that prohibition in this way actually encourages much illicit distilling, and hence a double violation of law, both state- and federal. Liquors are clandestinely brought within the prohibited district, especially when it embraces a town or village, in large quantities, sold in violation of the prohibitory act and the license law, and thus the state loses its revenue, a considerable amount of doubly illegal drunkenness ensues and the cause of sobriety makes but little progress.

A higher license may well be exacted on all gaming-tables, and the sale of cigaretts—an enemy to health—and trashy yellow-backed fiction and immoral books, if licensed at all, should be placed at a high figure, or their sale entirely prohibited.

A license fee on all corporations, foreign and domestic, should be required to be paid in proportion to the business done as nearly as can be ascertained.

Solvent credits are by law taxable. The existing law, however, leaves it to the discretion of the tax-payer

to decide which of his credits, or debts due him, are solvent ; if he has a doubt, nothing is paid, and thus many escape. In order that none of these may escape the payment of taxes, I recommend that a small stamp duty—varying according to the value of the paper evidencing the debt—be imposed as the most convenient and surest method of collection; and that no evidence of debt shall be collectible in any court unless the collector's stamp has been placed thereon and by him cancelled each tax year after the approval of the act. This, I am persuaded, would do no injustice to any one and would add largely to the revenue of the state.

The allowance of a deduction to the tax-payer of all his indebtedness opens the doors to fraud in many cases, and should be, if allowed at all, carefully guarded and clearly defined.

I also suggest that succession tax may well be imposed. In New York and several other states of the Union it has given general satisfaction. A person who has the good fortune to inherit a large, or considerable sum of money, is usually too happy to be offended at paying a reasonable tax upon it.

The necessities of the state for a large revenue, and the scarcity of money among the people on account of the low price of farm products, like an ill matched pair, have come together. The economy practiced by the state administrations in the past years has been cramped and narrow in many respects.

#### EXHIBITION OF OUR RESOURCES.

No appropriation has ever been made for the display of any of the great products and native wealth of our State, or industries of its people, at any of the grand exhibitions held in this country. Nothing of the kind was to be seen at the World's Columbian Exposition at Chicago, which was the greatest ever held in the world's history. While nearly every other State in the Union had some display, however small, there was nothing on exhibition there to show that there was such a State as Alabama. Even a small expenditure, judiciously made, would have saved our people from mortification of their State pride.

In Atlanta, Ga. beginning September, 1895, there will be held for the period of three months "The Cotton States International Exposition," which will be of great-magnitude and participated in by several foreign nations. I recommend that a provision be made for our State to have a creditable exhibit therein, which can be done at small cost, and which would be repaid ten fold by letting the people of other States and countries know the attractiveness of our State to capital and desirable immigration.

#### BATTLE FIELDS.

The blood of no troops from any State in the Union flowed more profusely, or freely, than did that of Alabama's in the great battles of Gettysburg and Chica-mauga. These fields have been, by act of congress, made national parks, and provided with mixed commissions from both armies to mark the places with marble slabs where different commands fought and performed the greatest deeds of valor. The federal government gave us one commissioner for the battle field of Gettysburg in the person of the late lamented Gen. William H. Forney, and since his death W. M. Bobbins, who was the major of the Fourth Alabama, has been appointed to the vacancy; but not a dollar has ever been appropriated by the General Assembly of Alabama to send any agent to point out, or mark the spots, or erect a monument, even of rude stone, where any of our heroes fought and fell and won immortality for the name of an Alabama soldier. I hope this matter will not escape your attention. If legislation is not deemed necessary authorize the governor to meet the necessary expense out of the contingent fund and it will be attended to.

#### DISABLED CONFEDERATE SOLDIERS.

The small amount of taxes laid for the relief of the poor disabled confederate veterans raises in the aggrgate something less than \$130,000 per annum ; it should be more. Perhaps the people are not able to pay a heavier tax, but the law for the distribution of the sum so raised should be amended. Some of these unfortunates are

not physically able to travel to the county seat to make oath to their applications before the probate judge, as the law now requires, and such persons should be allowed to make oath to their respective claims before any officer authorized to administer the same, stating in the affidavit the inability of the affiant to go before the probate judge. Some of those whose claims have been allowed by that officer are perhaps unknown to him as entitled to the benefaction. I fully concur in the recommendation of Governor Jones on this subject. The law should authorize the governor, or probate judge, to name three confederate veterans as a county board of examiners to whom all applications should be referred, and such board after examining the same should return the papers to the probate judge with the recommendation of said board, or a majority of its members, favorably or unfavorably, as the case maybe, and if the probate judge finds that the applicant thus recommended is within the provisions of the law his claim should be allowed and the person certified as entitled to share in the fund, and if the report is adverse to such claim it should be rejected. This would prevent the impositions which have been practiced, in some cases, under the law as it now stands. Old veterans would willingly serve upon such a board without any compensation. The consciousness that they were discharging a duty to their comrades, who are in a pitiable condition of helplessness and poverty, would be to them an ample reward for their trouble.

#### THE CONVICT SYSTEM.

I confess my want of familiarity with our system of managing criminal convicts. But from what I have been to learn, I am clearly of the opinion that they will, under the present arrangement, soon become a source of great expense to the State, which must not be permitted. They should be treated with humanity, and so worked as to purely pay all the expenses of their management. The county convicts should be so employed as to make them pay for the costs and expense of their conviction, and a just limit to hard labor for costs should be fixed so as to- prevent abuse of it. The law should be so amended that when they are leased or hired out to pay

the cost, etc. of their conviction, prompt payment should be made to the lessor-according to contract. It has been suggested that the State lease coal lands from the University for a period of years, agreeing to pay that institution a reasonable royalty upon each ton of coal taken from its lands, and work a portion of the able-bodied State convicts in a mine to be opened thereon and sell the coal on State account. I think that the suggestion is well worthy of serious consideration and I therefore recommend that you investigate it thoroughly and determine upon its practicability. It is impossible to work convicts at any thing without bringing them in competition with free labor. The greater reason why they should not be concentrated in any given locality, as they have been under the lease system, is the detriment that results to society therefrom in that locality.

The plan of taking all the convicts from the mines and employing them upon the State farm is impracticable. Should the State buy machinery and put them to manufacturing the want of skill of the convicts to operate it would make that venture a failure.

I see no way of avoiding a heavy expense to the State except by re-leasing the greater part of the able-bodied convicts until the treasury is in a condition to try other experiments. It may be that the State would do well to buy some good mineral lands, or lease them from the University, and employ a limited number of convicts and thus make a fair experimental test of mining coal on State account. If it proves a success, as I believe it would, railroads would soon be constructed to the mines; the Warrior River, which is being improved by the United States government, would soon furnish cheap transportation for the coal to Mobile Bay; the University would derive from its great property a much needed revenue, which would, in a few years, make it one of the greatest seats of learning in the southern States, and if the scheme be successful, it would pour into the State treasury an amount of money to meet the proper demands upon it and greatly lighten the burdens of taxation upon our people. Gentlemen ! it is, in my opinion, well worth trying. Investigate it, and ascertain its feasibility and its cost. That is easily done.

Our legislators hitherto have never had recourse to

any system of financiering but that of cutting down salaries of officials, cheeseparing and saving a few dollars here and there.

Ours is a big State with vast mineral resources and only needs a fair chance to be one of the most progressive and prosperous in the Union. All this can be accomplished without any perceptible increase of burdens upon the honest taxpayer. We must not allow our sympathy for the criminal convicts to get the advantage of our Judgment. Treat them humanely but so work them as not make their punishment a burden to honest and innocent people. It is for you to apply the proper remedy.

#### OUR JUDICIAL SYSTEM.

Our constitution declares that "the courts shall be open and that every person having any injury done him in his lands, goods, person or reputation, shall have a remedy by due process of law; and right and justice shall be administered without sale, denial or delay." Yet, it is a fact that under our present judicial system our judges are over-worked, the dockets of causes are crowded, and sessions of the court, by law, are held only twice a year, or once every six months, which is a traversity upon the provision of the constitution just quoted. A plaintiff may sue for his just demand, but owing to the crowded condition of the docket and the widely separated sessions of the court, it becomes impossible to have the case heard for twelve months, and sometimes for two years. This amounts in many cases to a denial of justice. The remedy for this evil, and the enormous jail fees the state has to pay, is a large increase in the number of our circuits and more frequent sessions of the court in each county. They should be held four times a year if the business requires it.

Section IV of Article VI, of the constitution makes necessary the vote of two-thirds of the members of each house of the general assembly to increase the number of circuits beyond eight, and that no circuit shall contain less than three nor more than twelve counties. We now have ten circuits, and the number should be increased to twenty, and but few circuits should contain more than three counties. This would enable the judges to dis-

pose of the business of their courts "without denial or delay," and dispense with the necessity for local courts except in cities:

I also recommend that you insert a provision in the law that wherever a suit is brought upon a promissory note, or other instrument, not sounding in damages, that ten days after the service of process upon the defendant, if no plea be filed by him to the plaintiff's complaint setting forth a good defense supported by affidavit, that an office judgment be rendered in favor of the plaintiff for which execution should issue against the defendant as in other cases.

Unfortunately, lynchings, for crimes supposed to have been committed have been of too frequent occurrence within the State. It is your official duty, gentlemen, as well as mine, to do what we can to prevent it and cause the enforcement of the law. There are certain crimes of so outrageous a character that the good men of the neighborhood feel indignant and impatient at the law's delay. The fact that several months must elapse before the malefactor can be tried, his possible escape from jail, and the probable death, or removal of the witnesses beyond the jurisdiction, frequently cause them, when they feel certain of the guilt of the accused to take him out and kill him. I consider this a strong reason why you should increase the number of circuits and require the judges to hold their courts with double the frequency they hold them now. There would be there so little excuse for lynchings that I am persuaded that they would be of rare occurrence.

Many of the younger states, those admitted into the Union long since Alabama was, have judicial systems far superior to ours.

On the question of economy, we should not let the expenditure of a few dollars stand in the way of a complete and speedy administration of justice. But in fact, such a reform in our judicial system as I recommend will not be more, but less expensive than the present one.

With the increased number of circuit judges I recommend, there is no necessity for the continuance of the office of chancellor. That office should be abolished to take effect at the expiration of the present term of the incumbents, unless they can by law be assigned to the-

performance of circuit court duties which I am inclined to think can be done. Why retain a separate chancery system, when only three other states of the Union retain it? The constitution declares that the "general assembly" shall have the power to establish courts of chancery but is not compulsory and hence they may be abolished. They have no place in the judicial system of the United States ; and in Great Britain, where the system of separate chancery courts originated, it was abolished by act of parliament more than twenty years ago.

A lawyer who is capable of discharging the duties of circuit judge is equally capable of deciding cases in equity. If the distinction between law and equity, which is theoretical, technical and useless, still be retained, it is an easy matter to keep a docket of equity causes in the circuit courts. The justices of the supreme court have to decide equity causes on appeal as well as those at common law. It requires no separate special training. Under our system the distinction between law and equity, the latter, being denned as the "correction of that wherein the law, by reason of its universality, is deficient," should command less respect than the real object of our judicial system, which is to dispense justice in controversies between men, as to rights of property and to enforce good order and respect for society.

The salary of our chancellors, if the office be abolished will pay the salary of four additional circuit judges, and by having frequent sessions of the courts the dockets will be kept clear of criminal cases, the jails emptied of prisoners, and the saving of expense in this way will prove a source of profit, if the circuits be increased to twenty. The six additional salaries would aggregate \$15,000 per annum. The expense of feeding prisoners last year was \$105,000. The salaries would be saved four times over in the reduction of the jail fees ; the officers would get their costs, the guiltless would be set free and the guilty promptly punished. The courts would then perform their proper functions and our state be given a business impetus in the judicial line. The respect of the people for the courts would be greatly increased by making them so much more useful than they are at present. They are now- almost as much machines for the retardation and denial of justice as they are useful in its dispensation.



I also recommend that the judge of each circuit be authorized to appoint an official stenographic reporter, whose duty it shall be to take down the evidence and typewrite the same under his oath as an officer of the court in every case of felony and in every misdemeanor where the judge or counsel for the defendant deem it necessary ; and that each reporter be paid a salary, not to exceed seventy-five dollars per month, during the time he is in attendance upon the court; and in every civil case in which the parties agree, the said reporter shall take the testimony, and shall be allowed a reasonable compensation therefor, to be taxed as costs. This would solve the difficulty of agreement between judge and lawyers upon bills of exception and add greater certainty and celerity to the proceedings of the courts.

It also seems to me that the summoning of a petit jury to try civil cases should be dispensed with, unless one of the parties to the suit demand it in advance of the session of the court. If no jury be demanded the judge would be the trier of fact as well as of law. No man's rights would, by such a statute, be in the slightest impaired and much cost of litigation would be avoided. Many other details pertaining to such a change of our judicial system will readily occur to you.

#### CARRYING CONCEALED WEAPONS.

The frequent occurrence of homicides—even among people of the highest respectability—is mainly attributable to the evil and unnecessary practice of carrying concealed weapons. The present law, though well administered, seems to have but little restraint upon the practice. The only way to suppress it is to make the offense a felony punishable by imprisonment in the penitentiary for not less than one nor more than three years ; and in no case should any one be allowed to carry concealed weapons, except when traveling, or setting out on a journey which will take him beyond the limits of the State, or when he has been threatened with and has good reason to apprehend an attack and carries the weapon for his defense in that particular case. If the law he thus amended a much less number of homicides will be committed than we now have. Our law very consid-

erately and properly, allows a person when grossly insulted to strike with his fist in vindication of his honor. In such case no life is taken; but if either party be secretly armed with a deadly weapon, it is too often the case that a murder is committed. Let the penalty for a breach of the law be a terror to its violators and many valuable lives will be spared. A fine, which may be imposed without imprisonment, has but little restraint upon the evil practice which is now so common, that peaceable men, from a sense of insecurity, frequently carry weapons because they know that others go armed. Let every person carry concealed weapons on all occasions, denying the privilege to none, or protect peaceable-citizens against it by making the law which prohibits it a terror to those who violate it. Civilization and the security of the people from lawless violence require it.

#### ELECTIONS.

Section III of Article IV of the Constitution provides: that "Senators and Representatives shall be elected by the qualified electors on the first Monday in August, 1876, and half of the Senators and all of the Representatives shall be elected every two years thereafter, unless the General Assembly shall change the time of holding elections.

Section 5 of the act approved March 6th, 1876, provides for "the election of Governor and other State officers as well as members of the General Assembly on the first Monday of August in 1876 and every two years thereafter."

The reason why the convention and the General Assembly separated the State from the Federal elections is manifest, but as it no longer exists, I can see no good reason for continuing to keep them separate. Why should we have two elections in one year when one would suffice? The excitement and political agitation commences with the beginning of every other year and reaches a white heat by the first Monday in August. Then as soon as we elect a Governor and other State officers another campaign begins for members of Congress. In many States the evil of too frequent elections—disturbance of business, intense excitement and fermentation of discord

consequent thereon—have been so keenly felt that the people have wisely provided, in their Constitutions for the election of Governor and other State officers only every four years. Two elections in one year is treating them to too much political excitement, and it also involves the counties in unnecessary expense.

As elections of members of Congress are fixed in all but three States for Tuesday after the first Monday in November every other year, and as that day has been fixed by Congress for all the States to choose presidential electors every fourth year, and as I believe it would be to the best interest of the people, and result in no wrong to any one, I most earnestly recommend that the August election be changed back to November.

#### A CONTEST LAW.

Our election law should be amended so as to provide for a contest of the election of governor and other state officers. The constitution provides : Article V, section IV, that, "Contested elections for governor, secretary of state, state auditor, state treasurer and attorney general shall be determined by both houses of the general assembly in such a manner as may be prescribed by law."

And hence the only practicable way to provide for such a contest is to make a law similar to that of taking testimony in contested elections of congressmen. It should provide for a specific notice to be given of the grounds of contest, an answer to be filed, and then to have the testimony taken by a commission in each county to which the contest is extended, so that the testimony may be laid before the general assembly at the beginning of its session, and thus secure a speedy trial of the question and avoid expense and delay so far as practicable. In view of the brevity of the session as fixed by the constitution, for ordinary legislation, the law should make it the duty of the governor to call an extra session of the general assembly to determine such contest. The constitution contemplates such a law and I most earnestly recommend its enactment.

#### ELECTION LAW.

Your familiarity with the working of the election law

enables you to judge as well as myself whether it needs amendment and what amendments thereto are necessary. If it is not fair and satisfactory to the people amend it and make it so. I am of the opinion that an amendment is necessary, giving each party who has a ticket to be voted for the right to nominate a marker, at each polling place, who should take an oath to mark only the name called by the illiterate voter and not to suggest or indicate to such voter, by word, sign, gesture or otherwise the name of any other person, and not to disclose the name voted for by any voter under heavy penalty.

It seems to be but fair that the officers whose duty it is to appoint the inspectors or managers of election, should allow each party, entitled to be represented, to nominate to said officials one of such inspectors to be appointed by them. These two amendments to the law would secure perfect fairness and should give satisfaction to all parties.

I also invite your attention to the bad features of registration in our election law. The time allowed is too brief, and it is unbending in its provisions. If a voter is necessarily absent from the state until the period for registration expires, or if he registers before election day and loses his certificate, he cannot vote. If he be confined to a bed of sickness until the period of registration has passed he cannot vote that year. The registration is in May; if the voter moves to another county, though he may reside therein three months as required by the constitution, before the November election he cannot vote. It is therefore of doubtful constitutionality in this respect and should be amended.

#### A BANKING LAW.

The State Constitution Art. XIV, Sec. 15, declares that "no banks shall be established otherwise than under a general banking law, nor otherwise than upon a specie basis." Section 16. "All bills or notes issued as money shall be at all times redeemable in gold or silver, and no law shall be passed sanctioning, directly or indirectly, the suspension by any bank or banking company of specie payment."

So long as the ten per cent. tax imposed by congress,

in the interest of national banks, is not repealed or modified, state banking is impossible. In the hope that there may be something of the kind accomplished during the present session of congress I advise that a banking law be passed. A good system of safe and sound state banks of issue, would give our people an abundance of home money, as good as greenbacks, at a lower rate of interest than it can now be obtained. A change of our constitution, as has been supposed, is unnecessary.

The law should, provide for a deposit with the state treasurer of lawful money of the United States, or solvent bonds of the United States, state, counties or municipalities, readily convertible into gold or silver for the redemption of the notes of such bank, with power in the treasurer to so convert such securities at any time upon the failure of the bank of issue, on demand, to redeem its notes in specie as required by the constitution.

Such a banking law would secure the bill-holder and cause the bills of such banks to be at par in every state in the union.

#### INTEREST AND USURY.

The proper understanding of the running of interest embraces the larger part of the whole financial problem. A high rate of interest makes fortunes for states and individuals when it runs in their favor, and ruins them financially when it runs long or at a high rate against them. Our present legal rate of eight per cent. is a very fair one and is as much as money should be worth. If every business in our country would yield that rate annually on the capital invested the road to wealth would be plain and easily travelled.

Our usury laws are utterly inefficient and should be repealed in toto, or so changed as to carry out the purpose for which they were intended. They were enacted on the common law idea that monopoly is unlawful and that he who hath an abundance shall not take advantage of his necessitous neighbor for the loan or temporary use of his means. There is a prevalent idea in this country that a person should be allowed, by law, to sell the temporary use of his money, usually called a loan, for what-

ever a borrower may see proper to give. That rests upon the broad principle that the merchant may sell his goods for whatever price he can obtain, the farmer sell his produce in the same way. So, too, does the stock man obtain for his animals the highest price for which they will sell, and this is the rule throughout the commercial world in every business except in the use of money. In all the states of the Union and in every country there is a fixed legal rate for the use of money ; conventional within specified limits, or at an unbending and fixed rate. The reason is that money is the great medium of exchange or measure of values of everything else.

No one in this country can be compelled by law to loan his money to another. His freedom and his personal right to hoard his money, if he chooses, is thus recognized and protected. But the law-making power claims the right to prescribe rules and regulations as to the manner in which he may loan his money to others, if he sees proper, to engage in that business, because it is assumed that he may abuse the privilege if unrestrained. It is the right of every citizen to bear arms, but the legislature may prescribe regulations as to how he may do it, so as not to be detrimental to the peace of the state. Every person who has had much experience as a lender of money knows that it begets a disposition to be grasping and to make every dollar he can by the use of his money. Poor borrowers pay, or agree to pay, any rate of interest to obtain money, which brings instant relief, in the hope that their efforts and labor next year will be better remunerated than the last one was, and will enable them to pay out and start even once more. Their hopes are too sanguine, and in a large majority of cases, the poor fellows find themselves burdened by a heavier debt, by the addition of the high interest, and thus they begin another year. It is but a question of time, at most, before the money lender will own the entire possessions of the necessitous and improvident borrower who pays a high rate of interest.

I have tried to present both sides of the question fairly. Whenever a contract is made in palpable violation of the law the courts should not be required to enforce it. The penalty under our law for taking usury is simply for-

feiture of all the interest. It arms the debtor with a defense which will forfeit all the interest if he sees proper to make it. The rule with lenders and borrowers now is to make illegal contracts at least as to the interest. A conventional rate of interest should be provided for, and the taking of any more than it allows, or if the legal rate be adhered to, the penalty for its violation should be sufficiently great to secure its enforcement. It is better to repeal the existing law and have none than to retain it when it is violated every day all over the state and has become moribund. If it be right to contract for a greater rate of interest than eight per cent., then make it legal and enforceable. If it is not right, put a sufficient penalty upon it to effectually prevent the taking of more than that rate.

#### THE RAIL/ROADS AND THE COMMISSION.

Complaints have been made of discrimination in freight rates against some localities. Neither the general assembly nor the commission can correct that if there be anything wrong. It belongs exclusively to the interstate commerce commission and to congress.

Under federal legislation and the decisions of the supreme court of the United States, the state commission has no power to regulate freight or passenger rates when they come from, are passing through, or going into another state. In other words, the state commission has no power whatever over inter-state commerce. Where both termini of a road are within the state, and it forms a link in the line of transportation of inter-state commerce, the commission is powerless to regulate freight upon it as to such commerce. The powers of the commission are only those of police regulation, which is one of the reserved powers of the state. Under it the commission may direct the railroads as to the erection of depots for the comfort and accommodation of passengers, require the abatement of nuisances, the repair of dangerous bridges, the erection of fences along the line of road for the protection of stock from injury, and may enforce reasonable regulations as to freight and passenger rates when carried exclusively in the state.

We have a law which requires railroads within the

state to provide separate cars for the accommodation of white and colored passengers. I do not question the wisdom of race separateness. It conduces to the peace and happiness of both races; but when first-class tickets are sold to a colored passenger he should be carried in a first-class coach. The negro's dollar buys as much in the markets of the country as the white man's, and when he is made to pay as much for a railroad ticket as a white man, he should be given a seat in as good a coach. If this would inconvenience any railroad company, let them sell second-class tickets at a lower price when a second-class car is furnished to the passenger. The railroad commission should be required to carry out this regulation.

The railroads are the great developers of our wealth and contributors to our civilization and greatness as a people, and should receive encouragement and be protected in all their rights. But the colored people constitute a large part of our population, with the same rights before the law as the white people, and hence the law should be impartially administered. When that is done, in all cases, it will remove all cause of irritation and produce greater harmony politically and otherwise between the races.

#### STATE TROOPS.

Our state troops have rendered service during the present year in the preservation of law and order, which of itself is the most potent and most unanswerable argument in favor of their great usefulness. The regiments, in the main, are composed of our best young men, and are fairly disciplined, so that they are capable of rendering the best service to the state. I therefore recommend the continuance of the necessary appropriations for their maintenance and discipline.

I suggest that you amend the law so as to authorize the governor to reorganize the regiments, by a transfer or exchange of companies from one regiment to another, whenever he thinks the same necessary for economy and convenience; to organize them into a brigade and to appoint a brigadier general to command it, should he deem



it best, but to serve without pay except in active service.

#### THE GOVERNOR'S SALARY AND MANSION.

The Governor's salary was \$4,000 per annum until the constitutional convention of 1875 reduced it to \$3,000. The salaries of all the state officers were likewise; reduced 25 per cent., but nearly all of them except that of the governor, have been restored or approximated. The present salary of the governor is below that of the justices of the supreme court, and is but equal to that of the three railroad commissioners ; a circuit solicitor's salary and per centages combined are quite as great. It is entirely inadequate, especially as the governor has to find a home for himself. A man who has no income but the salary cannot, on that, support his family decently in the city of Montgomery if he has to furnish himself a house. The salary of the governors of the forty-four states of the Union would average about \$4,500. In more than two-thirds of the states the governor is furnished by the state, an executive mansion in addition, to his salary, in most cases supplied with lights, fuel and servants, or with sufficient commutation money to obtain them.

There is not a state in the Union of equal wealth with ours that does not furnish the governor with a mansion, or with a sufficient sum to rent one. I most earnestly recommend that you make an appropriation and provide for a suitable mansion, not for me, but for my successor. The dignity of the office and the pride of the people of our state demand it. Our sister states all around us, have made such provision for the decent official residence of their chief executive, and Alabama should not be surpassed by them.

WM. C. OATES,  
Governor.

On motion of Mr. John 150 copies of the above message were ordered printed.

H. 98. To prevent the sale, exchange and buying of seed cotton in Perry county, and of seed cotton produced in said county,

Was read a third time at length and passed ;

Yeas 65, nays 0.

Yeas:

Messrs. Barren, Beasley, Beeson, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Fielding, Fleming, Fletcher, Franklin, Fuller, Fulton, Gibbons, Graham, Grant, Jackson, Jinks, John, Kelly, Kennedy, Knight, Kyle, Langley, Manning, Maples, Mastin, Mayfield, Montgomery, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rabb, Reaves, Roach, Robinson, Rowe, Routon, Savage, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry—65.

H. 159. To allow stock to run at large in a part of beat five in Lee county, Alabama,

Was read a third time at length and passed ;

Yeas 59, nays 4.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Brown of Conecuh, Burks, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Harris, Hill, Jackson, Kelly, Kennedy, Killebrew, Knight, Langley, Lipscomb, Maples, Mastin, Meador, Meadows, Mills, Mixon, McCorvey, Patton, Perry, Rand, Roach, Robbins, Robinson, Savage, Screws, Smith of Autauga, Smith of Mobile, Turner, Ward, Wheelless, Willett, Williams of. Bullock, Williams of Henry—59.

Nays :

Messrs. Brown of Russell, Burn, Seale, Tuck—4.

H. 178. To provide for payment of claims against the fine and forfeiture fund of Clarke county ;

Was read a third time at length and passed;

Yeas 61, nays 0.

Yeas:

Messrs. Barren, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Ford Franklin, Fuller,, Fulton, Gewin, Gibbons, Graham, Grant,

Graves, Harris, Hill, Jackson, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mastin, Meador, Meadows, Mills, Mixon, Montgomery, McCorvey, Patton, Perry, Robinson, Rowe, Routon, Savage, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Mobile, Turner, Wheelless, Whitten, Williams. of Bullock, Williams of Henry—61.

H. 184. For the preservation of game and birds in the county of Henry,

Was read a third time at length and passed ;

Yeas 56, nays 0.

Yeas :

Messrs. Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Campy Cook of Talladega, Davis, Deans, Ewing, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Jackson, Jinks, John, Kelly, Kennedy, Langley, Lipscomb, Maples, Mastin, Meador, Meadows, Mahan, Mills, Mixon, McCorvey, O'Brien, Ott, Patton, Perry, Rand, Roach, Robbins, Robinson, Rowe, Scarborough, Smith of Autauga, Smith of Greene, Smith, of Mobile, Tuck, Turner, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry—56.

H. 195. For the relief of Harry T. Smith, an attorney of Mobile county, to compensate him for special services rendered to the state :

Was read a third time at length and passed—yeas 50, nays 19.

Yeas :

Messrs. Speaker, Barren, Beasley, Boykin, Brown of Russell, Burns, Calhoun, Cameron, Dale, Davis, Fleming, Fletcher, Fulton, Gewin, Gibbons, Grant, Graves, Jinks, John, Kelly, Kennedy, Knight, Kyle, Mastin, Meador, Mahan, Montgomery, McCorvey, O'Brien, Ott, Patton, Perry, Rabb, Rand, Roach, Robbins. Robinson, Routon, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry—50.

Nays :

Messrs. Beason, Burks, Camp, Cook of Talladega, Curtis, Ewing, Fielding, Forman, Franklin, Fuller, Harris, Hearn, Killebrew, Langley, Maples Meadows, Mills, Mixon, Savage—19.

## MESSAGE FROM THE SENATE.

Mr Speaker:

The senate has amended as therein shown and passed the bouse bills :

H. 21. To incorporate the Baily Springs University for the higher education of women;

H. 169. To amend an act entitled an act to incorporate and establish a charter for the town of Childersburg, in the county of Talladega, approved February 25th, 1889;

And has passed

H . 49. To repeal an act entitled an act to authorize the sheriff of Washington county by virtue of his office to collect the state and county taxes thereof, and to perform generally all the duties required by law of the tax collector, approved February 10, 1875;

H.72. To incorporate the Presbytery of North Alabama.

And has originated and passed the following bills :

s. 68. To amend section 3 of an act entitled an act "For the protection of dogs," approved February 12th, 1887;

s. 71. To establish the county, or beat of residence, of persons, when their residence is partly in two or more counties, or beats;

s. 88. To amend section two of an act entitled "An act to prevent frauds being perpetrated by directors and managing officers of corporations on the stockholders or bondholders thereof," approved December 10, 1892;

s. 107. To repeal an act to authorize and require the commissioners court of Jefferson county, Alabama, to pay to the judge of the tenth judicial circuit of Alabama, five hundred dollars annually, approved February 18th, 1891;

s. 119. To amend sections 2, 4 and 10 of an act approved February 28, 1889, and entitled "an act to provide for the public printing of the state;"

s. 125. To amend section 2 of an act entitled "An act to amend sections one and twelve of an act entitled an act to regulate the taking of oysters from the public reefs in the State for sale, or planting, approved December 10th, 1892, and to repeal an act entitled an act to regu-

late the planting and taking of oysters in the waters of this State, approved February 18th, 1891, which act, hereby amended was approved February 14th, 1893;

s. 145. To amend section 2945 (3268) of the code of Alabama;

s. 41. To establish a state board of embalming to provide for the better protection of life and health, to prevent the spread of contagious diseases, and to regulate the practice of embalming and the care and disposition of the dead;

And has amended as therein shown, and as amended, has passed the bill,

H. 225. To create the eleventh judicial circuit of the State of Alabama, to fix the time of holding court therein and to provide for the appointment of a judge and the election of a solicitor for said court.

W. L. CLAY, Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once, and referred to the committees, as follows :

Judiciary, s. 145;

Revision of laws, s. 68, 71, 107, 125;

Corporations, s. 88;

Public printing, s. 119;

Public health, s. 41;

On motion of Mr. John H. 225 whose title is set forth above together with senate amendments was referred to the judiciary committee.

The house concurred in senate amendment to

H. 21. To incorporate the Bailey Springs University for the higher education of women.

Yeas 69; nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ewing, Fielding, Fleming, Fletcher, Pord, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Harris, Hearn, Jackson, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Meador, Meadows,

Mahan, Mixon, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Routon, Savage, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Wheelless, Williams of Bullock. 69.

The house concurred in senate amendment to

H. 169. To amend an act entitled an act to incorporate and establish a charter for the town of Childersburg, in the county of Talladega, approved February 25th, 1889.

Yeas 77; nays 0.

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Meador, Meadows, Mahan, Mills, Mixon, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Rowe, Routon, Savage, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Turner, Wheelless, Whitten, Willett, Williams of Bullock. 77.

#### ADJOURNMENT.

On motion the house adjourned till 10 a. m. to-morrow.

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#### TWENTIETH DAY.

#### HOUSE OF REPRESENTATIVES,

December 6, 1894.

The house met pursuant to adjournment.  
Prayer by the Rev. Mr. Clements, of Limestone.  
A quorum was present.

The committee on revision of the journal reported the journal of yesterday correct.

#### LEAVE OF ABSENCE

Was granted to Mr. Brooks for yesterday and to-day.

#### SPECIAL ORDERS.

H.437. To establish the twelfth judicial circuit and provide for the appointment of a judge and solicitor therefor, and fix the time of holding courts therein,

Was taken up.

Mr. John offered the following amendment:

Amend by substituting the month of January for that of February wherever it occurs in section four, and the month of July for that of August wherever it occurs in section 4,

Which was adopted and the bill was read a third time at length and passed—yeas 72, nays 4.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bel-linger, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fulton, Gains, Gibbons, Graham, Grant, Graves, Hill, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mahan, Mills, Mixon, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Routon, Savage, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Ward Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry—72.

Nays:

Messrs., Cole, Harris, Jackson, Langley.

The bill was ordered to the senate without engrossment.

H. 410. To provide for holding the circuit court of Henry county at Dothan, and to prescribe the jurisdiction thereof and to regulate the proceedings therein,

Mr. John offered the following amendment:

Section 1. That the circuit court of Henry county shall be held in the town of Dothan in the building to be provided by the municipality of Dothan on the fourteenth Mondays after fourth Mondays in January and July and may continue three weeks,

Which was adopted, and the bill was read a third time at length and passed—yeas 68, nays 0.

Yeas :

Messrs. Speaker, Barren, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Gamp, Cook of Talladega, Dale, Davis, Deans, Fleming, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Hill, John, Kelly, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Moore, McClusky, McCorvey, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Routon, Savage, Scarborough, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Whitten, Willett, Williams of Bullock, Williams of Henry—68.

The bill was ordered to the senate without engrossment.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bill, your signature thereto is requested :

s. 6. To authorize the mayor and councilmen of the city of Demopolis to issue bonds of the city of Demopolis for an amount not exceeding fifteen thousand dollars , bearing not more than six per cent interest per annum, payable semi-annually, for the purpose of erecting and establishing waterworks for said city.

WM.L. CLAY, Secretary.

#### SIGNING BILLS.

The speaker of the house in the presence of the house-immediately after its title had been publicly read by the clerk signed the bill whose title is set out in the-above senate message.



## RESOLUTIONS

Were offered and referred as follows :

By Mr. Jackson :

Petitioning congress to adopt the policy of free and unlimited coinage of silver,

Rules;

By Mr. Graham :

Providing for raising a joint committee of the house and senate to consider the advisability of calling a constitutional convention for the state of Alabama,

Rules.

## INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate committees , as follows:

By Mr. Ewing—

H. 517. To protect the people of Alabama from damage and injury by physicians or druggists using alcoholic spirits, opiates or cocaine,

Public health;

By Mr. Routen—

H. 518. To amend sections 1 and 2 of an act to incorporate the town of Rutledge, in the county of Crenshaw, and state of Alabama, approved February 11th, 1893;

Corporations ;

By Mr. Killebrew—

H. 519. To require all cotton seed meal to be subjected to analysis and inspection as a condition precedent to be offered for sale, and to forbid the sale in this state of such cotton seed meal as is shown by official analysis to contain less than seven and one-half per centum of ammonia, to prescribe a penalty for the violation of the provisions of this act, and for other purposes,

Agriculture;

By Mr. Tuck—

H. 520. To consolidate the criminal dockets of the city court of Selma and of the circuit court of Dallas county, and to make all criminal causes coming into either of said courts by indictment or otherwise, triable in either of said courts and to provide for the clerks fees,

Judiciary;

By Mr. Harris;

H. 521. To establish a new charter for the town of Lanett in Chambers county,

Corporations;

By Mr. Beeson—

H. 522. To abolish the city court of Gadsden and to transfer all the causes therein pending, both civil and criminal, together with all the dockets, papers and books of the said city court to the circuit court of Etowah county, Alabama,

Judiciary;

By Mr. Mills—

H. 523. To prohibit the sale, giving away, or otherwise disposing of intoxicating liquors, within one mile in every direction of Rehoboth church, Big Creek church, County Line church, Pleasant Grove church and New Hope church, all in the county of Geneva,

Temperance ;

By Mr. Williams of Henry—

H 524. To authorize the constable of beat 3, Henry county, to appoint a deputy and to execute certain process,

Local legislation;

Also,

H. 525. To regulate the issue of writs of certiorari by the probate judge of Henry county,

Revision of laws;

By Mr. John—

H. 526. To amend and re-enact sections 396, (302), 397, (303), 398, (304), 399, (305), 400, (306), 401, (307), 402, (309), 403, (310), 404, (311), 405, (312) and 406, (313) of the code of Alabama,

Judiciary;

By Mr. O'Brien—

H. 527. To encourage the investment of capital in the state of Alabama,

Mining and manufacturing;

By Mr. McQueen—

H. 528. To provide for the calling and holding of a convention to alter and amend the constitution of the state of Alabama,

Judiciary;

By Mr. Whitten—

H. 529. To prohibit obtaining property by false pretences under contract for performance of act or service in the counties of Lowndes, Wilcox and Hale,

Local legislation ;

By Mr. Rowe—

H. 530. For the preservation of game in Madison county,

Local legislation;

Also,

H. 531. To protect and regulate the time and manner of catching and taking fish from and in the waters of the state of Alabama, in Madison county,

Local legislation ;

By Mr. Davis—

H. 532. To establish the Newburgh School District in Franklin county,

Education;

By Mr. Coleman—

H. 533. To amend an act entitled an act to establish an agricultural school and experiment station at Albertville, Alabama, Lebanon, Alabama, or Springville, Alabama, to be located by the governor, superintendent of education and commissioner of agriculture, which became a law on the 21st day of February, 1893,

Agriculture;

By Mr. Kyle—

H. 534. To incorporate Morgan County College, in Morgan county, Alabama,

Corporations;

By Mr. O'Brien—

H. 535. To require the court of county commissioners of Jefferson county to draw their warrant on the treasurer of said county in favor of M. A. Mason, the registrar of said county, for services as registrar as herein specified,

Special committee of Jefferson delegation ;

By Mr. Robbins—

H. 536. To incorporate the town of Goodwater, in Coosa county, Alabama,

Corporations;

By Mr. Turner—

H. 537. To change a portion of the boundary line between the counties of Washington and Mobile,  
Counties and county boundaries.

Mr. John from the judiciary committee to whom was referred on yesterday,

H. 225. To create the eleventh judicial circuit of the State of Alabama, to fix the time of holding court therein and to provide for the appointment of a judge and the election of a solicitor for said circuit,

And the senate amendments, reported the bill and amendments back to the house and recommended that the house concur in the senate amendments,

And the house concurred in the first senate amendment.

Yeas 82 ; nays 0.

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Growing, Gibbons, Graham, Grant, Graves, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Lipscomb, Manning, Maples, Mastin, Mavfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Routon, Sanford, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry.—82.

And the house concurred in the second senate amendment .

Yeas 82 ; nays 0.

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Jackson, Jinks, John, Kelley, Kennedy, Killebrew, Knight, Lipscomb, Manning, Maples, Mastin, Mayfield, Meador, Meadows, Mahan,

Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Baien, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbing, Robinson, Rowe, Routon, Sanford, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry.—82.

And the house concurred in the third and last senate amendment.

Yeas 83 ; nays 0.

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Growing, Gibbons, Graham, Grant, Graves, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Lipscomb, Manning, Maples, Mastin, Mayfield, Meador, Meadows, Mahah, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Routon, Sanford, Savage, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry.—83

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the house amendment to the senate bill,

s. 8. To establish a new city charter for Phenix City, in Lee county, Alabama.

W. L. CLAY,  
Secretary.

#### BILLS ON SECOND READING.

The chairman of the several committees reported, favorably on the following bills :

H. 334. To fix the fees of the judge of the county court of Clarke county ;

H. 245. To incorporate the Alabama Mutual Fire Insurance Company;

H. 515. To amend section 1 of "an act to regulate the taxation of insurance companies," approved February 20, 1893;

H. 510. To amend section 1207 of the Code;

H. 487. To levy taxes for the use of the state ;

H. 403. To change the time of making application under the provisions of "an act for the relief of needy Confederate soldiers and sailors, residents of Alabama, who, from wounds or other cause, are now unable to make a livelihood, and for the widows of such as were killed or died in said war and have not since remarried," approved February 13, 1891,

With substitute;

H. 382. For the relief of needy Confederate soldiers or their surviving widows who may have, through neglect or ignorance, failed to comply with the provisions of section 2 of an act approved February 13, 1891,

With substitute;

H. 453. To amend section four of an act entitled "an act to authorize the increase of the capital stock and bonded indebtedness of private corporations organized under special charter," approved December 10, 1890;

H. 405. To provide for the empanelling of petit juries and grand juries, and for the trial of criminal causes, in the Bessemer division of the circuit court of Jefferson county, holden at Bessemer, under an act to provide for the holding of terms of the circuit court of the tenth judicial circuit, for the trial of civil causes at Bessemer in and for certain portions of Jefferson county therein mentioned, approved February 21, 1893 ;

H. 480. To authorize the municipality of Selma to force property owners of Selma to connect all waste pipes, sinks and water closets on their premises with a sewer;

H. 502. To incorporate Coffee Springs Camp Grounds in Geneva county, to authorize and empower the trustees, cabin owners and tent holders to pass and enforce rules and regulations to maintain and preserve good

order within one mile of said Camp Grounds, and to control its management;

H. 467. To incorporate Spring Lake College and to repeal an act to incorporate Springville High School and an act to amend charter of Springville Educational Institute ;

H. 477. To fix the times and places of holding the courts in the first judicial circuit of Alabama, and to regulate the practice therein ;

H . 381. To further regulate the fees of constables for attending justice court in Lawrence county ;

H. 459. Authorizing the abstracts of the burnt records of Franklin county to be used in evidence where the original instrument is destroyed ;

H. 217. To authorize the mayor and councilmen of the town of Brewton to issue bonds of said city for an amount not exceeding fifteen thousand dollars, for the purpose of building or purchasing suitable school building for the use of the residents thereof;

H. 394 To regulate the reports of committing magistrates in the counties of Dallas, Hale, Lowndes, Perry and Wilcox;

H.478. To incorporate the town of Brantley, Crenshaw county;

H. 415. To amend section 2817 of the Code ;

H . 434. To extend the territorial jurisdiction of notary publics and ex-officio justices of the peace appointed for ward one (1) in the city of Anniston ;

H. 413. To amend section twenty-seven hundred and fourteen of the Code ;

H. 464. To prohibit the purchase, sale, barter, or exchange of any personal property covered by a lien, or to which another has a claim by persons having knowledge of the existence thereof without first obtaining the consent of the holder of such lien or claim to such purchase, sale, barter, or exchange ;

s. 119. To amend sections 2, 4 and 10, of an act approved February 27, 1889, and entitled "an act to provide for the public printing of the state ;"

s. 51. To authorize the dismissal of garnishment proceedings in case where plaintiff has failed to get service on defendant for two regular terms of the court;

s. 118. To make an appropriation for the payment of

interest on temporary loan, and carry out other arrangements made by the governor with the New York Security and Trust Company to protect the credit of the State of Alabama;

s. 31. To amend an act entitled an act to regulate the trial of misdemeanors in Bibb county, approved February 21st, 1893;

s. 88. To amend section two of an act entitled "an act to prevent frauds being perpetrated by directors, and managing officers of corporations on the stock holders, or bondholders thereof," approved December 10th 1892 ;

s. 23. To incorporate Koss Institute at Heflin, in Cleburne county;

s. 98. To establish a separate school district in Winston county to be known as the "Dismal School District;"

s. 97. To incorporate Graham College in Randolph county, Ala;

s. 102. To amend section 4511 of the code ;

s. 19. To make Muscle Shoals Canal in Lauderdale county a lawful fence;

s. 109. To repeal an act entitled an act to regulate the practice in the circuit court of Choctaw county, approved February 14th 1893;

H. 508. To amend section 1212 of the code;

H. 509. To amend section 1211 of the code ;

H. 121. To incorporate the People's Mutual Insurance Association of Alabama;

H. 117. To repeal section 3807 (4387) of the code of Alabama;

H. 468. To increase the number of majors in the regiment of state troops to three.

H. 469. To allow county commissioners in each county to appropriate a sufficient sum to pay armory rent for military companies located in their respective counties;

H. 471. To authorize the surgeon of each regiment of state troops to purchase necessary medicine, bandages, surgical instruments, etc., for the troops while in active service;

H 423. To declare Charles K. Foote and Charles G. Foote who now reside in the county of Washington, near the boundary line between the county of Washing-



ton and the county of Mobile citizens of the county of Mobile, and to authorize them to assess certain of their real property on or near said boundary line with the tax assessor of Mobile county and to pay their taxes on it to the tax collector of Mobile county;

H. 440. To relieve Worth Whiteside of Calhoun county, Alabama, a minor of the disabilities of non-age ;

H. 344. To fix the time of pleading in the third judicial circuit of Alabama;

H. 430. To define and fix the character and measure of proof required in prosecutions for violations of laws regulating or prohibiting the sale, giving away or otherwise disposing of intoxicants;

H. 433. To authorize the city council of Selma to issue bonds and borrow money for the purpose of providing and maintaining a system of water works in Selma.

H. 211. To incorporate the Farmer's Co-operative Insurance Association of Alabama ;

(With amendment.)

H. 412. To amend the charter of the Southern Associated Press to ratify and confirm all its acts and doings, all the act and doings of its stockholders, subscribers to stock and officers before and after the issuance of its charter and to confer on it additional powers, rights and liabilities;

H. 397. To confirm, amend and enlarge the charter of the Chattahoochee Brewing Company ;

H. 379. To amend section one of an act to establish and define the corporate limits of the city of Gadsden, approved February 18th, 1891;

(With amendment.)

H. 210. To incorporate the Alabama State Mutual Assurance Company and to define its rights, powers and franchises ;

(With amendment.)

H. 340. To extend the provisions of an act entitled an act for the relief of maimed confederate soldiers and sailors residents of Alabama who from wounds or other causes are now unable to earn a livelihood and for the widows of such as were killed or died in said war and have not since remarried, approved February 13th, 1891, so far as relates to the time of filing written application ;

(With substitute.)

H. 485. To appropriate the sum of eleven hundred and sixty-three and 20-100 dollars to pay for expenses of legislative assembly of 1892 and 1893 ;

(With substitute.)

H. 386. To refund to P. W. Chastang the sum of eighty dollars being purchase money for certain land heretofore erroneously sold him by the state.

The above and foregoing bills, were severally read a second time, and placed on the calendar.

On motion of Mr. John H. 117 was taken from an adverse report and recommitted to the judiciary committee, and H. 121 was recommitted to the committee on corporations;

H. 320 was returned by the committee on revision of laws and committed to the committee on appropriations.

On motion of Mr. Davis H. 450 was made a special order for to-morrow after the disposition of the journal.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has passed the house bills,

H. 63. To amend section one of an act entitled an act to incorporate the male and female academy located in the town of Leighton, Lawrence county, Alabama, approved February 28, 1889.;

H. 23. To provide for the election of county superintendent of education of Lowndes county ;

H. 113. To establish a separate school district to be known as the Union Hill school district in Henry county ;

And has originated and passed the following bills :

s. 144. To prevent any one from procuring vinous, spirituous, or malt liquors, or intoxicating bitters for a minor, or person of known intemperate habits;

s. 33. Joint resolution proposing amendment to section 2 of article II of the constitution of the state of Alabama.

W. L. CLAY, Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set

forth in the above and foregoing message, were severally read once, and referred to the committees, as follows :

Judiciary, s. 33 ;

Temperance, s. 144.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

The committee on engrossed bills reports the following bills correctly engrossed: Nos. 98, 184, 195, 226, 159, 178.

CHAS. A. WHITTEN,  
Chairman.

#### HOUSE OF REPRESENTATIVES,

Mr. Speaker:

The committee on enrolled bills report the following bills correctly enrolled :

H. 23. To provide for the election of county superintendent of education in Lowndes county ;

H. 49. To repeal an act entitled an act to authorize, the sheriff of Washington county by virtue of his office to collect the state and county taxes thereof, and to perform generally all the duties required by law of the tax: collector, approved February 10, 1875;

H . 63. To amend section one of an act entitled an act to incorporate the male and female academy located in the town of Leighton, Lawrence county, Alabama, approved February 28, 1889 ;

H. 72. To incorporate the presbytery of North Alabama;

H. 113. To establish a separate school district to be known as the Union Hill school district in Henry county ;

H. 169. To amend an. act entitled an act to incorporate and establish a charter for the town of Childersburg, in the-county of Talladega, approved February 25, 1889 ;

J. H. MONTGOMERY, Chairman.

#### SIGNING BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set out in the foregoing report of the committee on enrolled bills.

## BILLS ON THIRD READING.

H. 196. For the relief of Neil Baiter, and the heirs of David Baiter, of Monroe county, Alabama, and to authorize the governor to issue a patent to certain lands to said parties,

Was read a third time at length and passed—yeas 65, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Brown of Conecuh, Burks, Burns, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fielding, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Jackson, John, Kelly, Kennedy, Killebrew, Knight, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mixon, Moore, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Reaves, Roach, Robbing, Robinson, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Wheelless, Whitten, Williams of Bullock, Williams of Henry—65.

H. 203. To repeal an act to regulate and prescribe the manner of electing, county commissioners of Pike, Bullock, Washington, Baldwin, Butler, Choctaw, Fayette, Shelby, DeKalb and Pickens counties, so far as the same relates to Shelby county,

Was read a third time at length and lost—yeas 34, nays 45.

Yeas :

Messrs. Banks, Beasley, Beeson, Brown of Conecuh, Burks, Cole, Cook of Talladega, Deans, Ellis, Ewing, Fielding, Fleming, Ford, Forman, Franklin, Fuller, Gains, Harris, Hearn, Jackson, Killebrew, Langley, Manning, Mastin, Mayfield, Meadows, Mills, Mixon, Reaves, Routon, Savage, Smith of Butter, Taylor, Wheelless—34.

Nays :

Messrs. Speaker, Barren, Boykin, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cook of Wilcox, Dale, Davis, Fletcher, Fulton, Gewin Gibbons, Graham, Grant, Graves, Jackson, John, Kelly, Kennedy, Knight, Lipscomb, Maples, Moore, McCorvey, McQueen, O'Brien,

Ott, Patton, Perry, Prowell, Rand, Roach, Robinson, Rowe, Sanford, Scarborough, Seale, Smith of Mobile, Tuck, Turner, Whitten, Willett, Williams of Bullock.  
45.

H. 74. To provide for the making and maintaining the public roads and bridges in Jefferson county, Alabama;

The amendment offered by the committee was adopted.

Mr. Fulton offered an amendment which is section 15 of the bill which was adopted, and the bill,

Was read a third time at length, and passed—yeas 56, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cook of Talladega, Curtis, Dale, Fleming, Fletcher, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, John, Kelly, Kennedy, Knight, Langley, Lipscomb, Maples, Mastin, Meador, Mahan, Mixon, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rand, Roach, Robinson, Routon, Sanford, Savage, Scarborough, Smith of Greene, Taylor, Turner, Ward, Wheelless, Willett, Williams of Bullock,  
56.

H. 3. To repeal an act entitled an act to regulate the trials of misdemeanors in the county of Bibb, and to provide for the disposition of certain cases now pending in the county court of Bibb county, and to abolish the county court of Bibb county ;

Mr. Willett moved to table the bill, and the yeas and nays being demanded, the bill was tabled—yeas 50, nays 32.

Yeas:

Messrs. Speaker, Barren, Boykin, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Fletcher, Fulton, Gewin, Gibbons, Graham, Grant, Graves, John, Kelly, Knight, Lipscomb, Maples, Mayfield, Meador, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robinson, Sanford, Scarborough, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Willett, Williams of Bullock, Williams of Henry—50.

Nays:

Messrs. Banks, Beasley, Brown of Conecuh, Burks, Cole, Cook of Talladega, Deans, Ellis, Ewing, Ford, Forman, Franklin, Fuller, Gains, Harris, Hearn, Jackson, Killebrew, Langley, Manning, Mastin, Meadows, Mills, Mixon, Reaves, Robbins, Routon, Savage, Smith of Butler, Summers, Taylor, Wheeless—32.

H. 280. To prohibit the selling, bartering, exchanging or giving away of spirituous, vinous or malt liquors, intoxicating bitters or beverages within four miles of the Methodist church at Fairford, in Washington county,

Was read a third time at length, and passed—yeas 68, nays 0.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown, of Russell, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Ellis, Ewing, Fleming, Fletcher, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hill, Jackson, John, Kelly, Killebrew, Knight, Langly, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McCorvey, McQueen, Ott, Patton, Rand, Roach, Robinson, Rowe, Routon, Sanford, Savage, Scarborough, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Wheeless, Willet, Williams of Bullock—68.

s. 10 To amend section 2 of an act to regulate the drawing and summoning of jurors in the county of Montgomery, approved February 21st, 1893,

Was read a third time at length and passed—yeas 64, nays 0.

Yeas :

Messrs. Speaker, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Dale, Davis, Fielding, Fleming, Ford, Franklin, Fuller, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, Jackson, Kennedy, Killebrew, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Patton, Perry, Prowell, Rabb, Roach, Robbins, Robin-

son, Rowe, Routon, Sanford, Scarborough, Seale, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Turner, Wheelless, Willett, Williams of Bullock—64.

s. 12. To amend section 4331 of the Code of Alabama, so far as the same relates to Montgomery county.

Was read a third time at length, and passed—yeas 59, nays 0.

Yeas:

Messrs. Speaker, Barron, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Cameron, Camp, Curtis, Dale, Davis, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, Kelly, Kennedy, Killebrew, Kyle, Langley, Maples, Mastin, Mayfield, Meadows, Montgomery, Moore, McCorvey, McQueen, Patton, Perry, Prowell, Roach, Robbins, Robinson, Rowe, Routon, Sanford, Savage, Scarborough, Seale, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Willett, Williams of Bullock—59.

H. 142. To authorize the commissioners of roads and revenues of Tuscaloosa county, to levy and collect a special tax for the purpose of erecting and maintaining public buildings and bridges for said county,

Was read a third time at length, and passed—yeas 72, nays 0.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hill, Jackson, John, Kelly, Killebrew, Kyle, Langley, Lipscomb, Manning, Maples, Mayfield, Meadows, Mahan, Mills, Moore, McClusky, McCorvey, McQueen, Ott, Patton, Rand, Roach, Robbins, Robinson, Rowe, Routon, Sanford, Savage, Scarborough, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Wheelless, Whitten, Willett, Williams of Bullock—72.

H. 479. To incorporate the city of Ozark in the county of Dale,

Was read a third time at length, and passed—yeas 71, nays 0.

Yeas:

Messrs. Barron, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Harris, Hearn, John, Kelly, Kennedy, Killebrew, Knight, Langley, Manning, Maples, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Moore, McClusky, McCorvey, McQueen, O'Brien, Patton, Perry, Rand, Reaves, Roach, Robbins, Rowe, Sanford, Savage, Scarborough, Seale, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Turner, Wheelless Whitten, Willett, Williams of Bullock, Williams of Henry—71.

The bill was ordered to the senate without engrossment.

s. 77. To create a new charter for the town of Heflin, Cleburne county,

Was read a third time at length and passed—yeas 67, nays 0.

Yeas:

Messrs. Speaker, Barren, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fleming, Fletcher, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Harris, John, Kelly, Kennedy, Killebrew, Knight, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McQueen, O'Brien, Patton, Prowell, Rand, Roach, Robbins, Robinson, Savage, Scarborough, Seale, Smith of Greene, Smith of Mobile, Summers, Wheelless, Whitten, Williams of of Bullock, Williams of Henry—67.

H. 451. To incorporate the Phenix City Railroad Company, define its rights, privileges, powers and franchises,

Was read a third time at length, and passed—yeas 68, nays 0.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Camer-



on, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ellis, Fielding, Fletcher, Franklin, Fulton, Gains, Gewin, Graham, Grant, Graves, Harris, Hearn, Jackson, Jinks, John, Kennedy, Knight, Kyle, Manning, Maples, Mastin, Mayfield, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Roach, Robbing, Robinson, Rogers, Rowe, Rouston, Sanford, Savage, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheeless, Whitten, Willett, Williams of Bullock, Williams of Henry—68.

H. 120. To amend section 2 of an act to compel the determination of claims to real estate in certain cases, and to quiet the title to the same,

Was read a third time at length, and passed—yeas 57, nays 2.

Yeas :

Messrs. Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Calhoun, Camp, Cook of Wilcox, Dale, Davis, Ellis, Ewing, Fleming, Ford, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Jackson, John, Kelly, Kyle, Langley, Lipscomb, Manning, Maples, Mayfield, Meador, Meadows, Moore, McCorvey, McQueen, O'Brien, Ott, Perry, Roach, Robbins, Robinson, Rowe, Sanford, Savage, Screws, Seale, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheeless, Willett, Williams of Bullock, Williams of Henry—57.

Nays:

Messrs. Fuller and Hearn—2.

H. 92. To legalize the registration of deeds of conveyance which have been filed and recorded in the office of the judge of probate of the proper county, in this state before the passage of this act, but not within the time required by law,

Was read a third time, at length, and passed—yeas 64, nays 3.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Dale Ewing, Fielding, Fletcher, Ford, Forman, Fulton, Gains, Gewin,

Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, Jackson, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Maples Mastin, Mayfield Meador, Meadows, Mahan, Mixon, Moore, McCorvey, McQueen, O'Brien, Ott, Perry, Rabb, Roach, Robbins, Robinson, Sanford, Savage, Scarborough, Screws, Seale, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—64.

Nays.:

Messrs. Cameron, Curtis, Willett—3.

H. 122. To amend an act to establish the criminal court of Jefferson county. Approved February 18, 1889, Was read a third time, at length, and passed—yeas 57, nays 0.

Yeas :

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Brown of Russell, Burks, Burns, Calhoun, Camp, Dale, Davis, Ellis, Ewing, Fletcher, Franklin, Fuller, Fulton, Gibbons, Graham, Grant, Graves, Jackson, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Meador, Meadows, Mahan, Mixon, McClusky, McCorvey, O'Brien, Ott, Patton, Perry, Rabb, Rand, Roach, Sanford, Savage, Seale, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless Whitten, Willett, Williams of Bullock, Williams of Henry—57.

H. 123. To amend sections four (4) and ten (10) of an act to amend an act to expedite the trial of capital cases in Jefferson county, approved February 11, 1891, Was read a third time, at length, and passed—yeas 72, nays 0.

Yeas:

Messrs. Speaker, Barren, Beeson, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ewing, Fielding, Fletcher, Forman, Franklin, Fuller Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Meadows, Mahan, Mixon, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Routon, Sanford, Savage, Scarborough, Seale, Smith of Butler, Smith of Mobile, Summers, Taylor,

Turner, Ward, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry— 72.

On motion the house adjourned till 10 a. m., to-morrow.

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TWENTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,

December 7, 1894.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Anderson of the city.

A quorum was present.

The committee on revision of the journal reported the journal correct.

LEAVES OF ABSENCE

Was granted to Messrs. Burks and Cameron indefinitely, to Mr. Meadows for to-morrow and Monday, to Mr. Smith of Autauga till Monday and to Messrs. Reaves and Routon for to-morrow.

SPECIAL ORDER.

On motion of Mr. Ward H. 463 was made a continuing special order for Monday after the disposition of the journal.

SPECIAL ORDER.

H. 450. To amend section 1 of an act to incorporate the town of Guin, in the county of Marion, and state of Alabama, approved February 21, 1893,

Was read a third time at length and passed—yeas 79, nays 0.

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis,

Ewing, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graves, Harris, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Manning, Mastin, Mayfield, Meador, Meadows, Mills, Mixon, Montgomery, Moore, McCluskey, McCorvey, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Scarborough, Scale, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Wheelless, Willett, Williams of Henry—79.

The bill was ordered to the senate without engrossment.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following senate bills, your signature thereto is requested, viz :

s. 93. To confirm the validity of certain bonds, issued at different times by the board of revenue of Montgomery county, pursuant to an act, approved December 6, 1886, entitled an act to authorize the board of revenue of Montgomery county to issue bonds of said county for an amount not exceeding fifty thousand dollars, for the purpose of building an addition to the court house of said county, and enlarging and improving the same, and for paying for the erection of a county jail in said county, as amended by an act approved February 22, 1887, entitled an act to amend section 1 of an act entitled an act to Authorize the board of revenue of Montgomery county to issue bonds of said county for an amount not exceeding fifty thousand dollars for the purpose of building an addition to the courthouse of said county, and enlarging and improving the same, and for paying for the erection of a county jail in said county, approved December 6, 1886;

s. 32. Joint resolution asking a donation from the federal government of Mount Vernon barracks to the State of Alabama for public uses.

W. L. CLAY,  
Secretary.

#### SIGNING BILLS.

The speaker of the house, immediately after their titles

had been publicly read by the clerk, signed the bills. whose titles are set out in the above and foregoing senate message.

#### INTRODUCTION OF BILLS.

On a call of the counties, bills -were introduced severally, read one time, and referred to appropriate committees, as follows :

By Mr. Moore—

H. 538. To regulate the planting and taking of oysters in the waters of this state,

Special committee from Mobile and Baldwin;

By Mr. Gibbons—

H. 539. To repeal an act entitled an act to provide for the listing of lands by tax assessors, approved February 28, 1889, so far as it relates to Barbour county,

Local legislation;

Also,

H. 540. To authorize the city of Eufaula to construct and maintain a system of sanitary sewerage and to regulate connections with the same,

Corporations;

Also,

H. 541. To authorize the city of Eufaula to buy, lease, contract for, build, maintain and operate a system of water works and a gas or electric light plant, or gas and electric light plants, in said city and vicinity,

Corporations;

Also,

H. 542. To authorize the city of Eufaula to issue bonds for funding its present bonded debt,

Corporations;

By Mr. Graves, (by request)—

H. 543. To authorize the court of county commissioners of Barbour county to issue bonds of said county to an amount not exceeding ninety thousand dollars, for the purpose of taking up, canceling and retiring the present outstanding indebtedness of said county,

Corporations;

By Mr. Graves, (by request and petition)—

H. 544. To regulate the granting of licenses to retail vinous or spirituous liquors in the town of Louisville, Barbour county,

Temperance;

Also,

H. 545. To regulate the fine and forfeiture fund of Barbour county,

Local legislation;

By Mr. Ellis—

H. 546. To repeal sections ten, eleven, twelve and thirteen of an act entitled an act to prevent the running at large of stock in certain portions of Elmore county, approved February 18, 1891,

Local legislation,

Also,

H. 547. To provide for the better assessment and collection of state and county taxes on notes, mortgages, liens, or other evidences of indebtedness,

Ways and means;

By Mr. Roach—

H. 548. To amend section 533 of the code,

Ways and means;

Also,

H. 549. To amend an act entitled an act to amend-section 535 of the code,

Ways and means ;

By Mr. O'Brien—

H. 550. To make appropriations for the expenses of conducting the office of main inspector,

Appropriations;

By Mr. Mahan—

H. 551. To amend an act entitled an act to regulate the issuance of license to sell vinous, spirituous or malt liquors in Morgan county and approved February 3d, 1883,

Temperance;

Also,

H. 552. To prohibit the sale, giving away or otherwise disposing of any spirituous, vinous or malt liquors, intoxicating drinks or beverages or fruits preserved in alcoholic liquors within three miles of Bethel Baptist church, Pleasant Hill Christian church, Leesdale Christian church, Forrest Chapel Methodist church, Gandy's Cove Methodist church, Mount Tabor Methodist church, Lebanon Baptist church, Lacon Presbyterian church,

22h

Fairview Presbyterian church, Cooper's school house, Crows school house, and Collins school house in Morgan county, Alabama,

Temperance ;

By Mr. Langley (by request)—

H. 553. To incorporate the town of Camp Hill,

Corporations ;

By Mr. Turner—

H. 554. To regulate and provide for the trial of misdemeanors in Washington county,

Revision of laws,

By Mr. Robinson—

H. 555. To amend sections six, eleven, fifteen, twenty-one, twenty-five, thirty-four, forty and fifty-one, of an act entitled "an act to amend an act entitled an act to incorporate the Port of Mobile and to provide for the government thereof, approved December 10th, 1886."

Local legislation;

By Mr. Sanford—

H. 556. To establish a general system of banking in the State of Alabama,

Banking and insurance;

By Mr. Whitten—

H. 557. To prohibit "baiting" of any place or field for doves, partridges or wild turkeys in Lowndes county,

Local legislation;

By Mr. Screws—

H. 558. To authorize the city council of Montgomery at any time to issue bonds for the purpose of funding the bonded indebtedness of the city of Montgomery,

Corporations;

By Mr. Sanford—

H. 559. To amend sections 1 and 2 of " an act to regulate the sale of real estate in the city of Montgomery, Alabama , for unpaid taxes assessed for municipal purposes," approved February 10th 1887,

Judiciary;

By Mr. Meador—

H. 560. To make an appropriation to cover the deficiency for distributing the act and journals of the general assembly of 1892—3, codes and other public documents for the year ending September 20th 1893, and for the year ending September 30th 1894,

Appropriations.

## RESOLUTIONS

Were offered and referred as follows :

By Mr. Willett—

Joint resolution raising a joint committee to visit the penitentiary, the convict farm at Spigners, Alabama, and the vonvict mines at Pratt City and Coalburg, Alabama,

Rules;

By Mr. Fletcher—

Resolved, that this house adjourn at 1 o'clock, reconvene at " 3 o'clock" for the consideration of local bills and that each county be allowed to call up two bills as the roll is called.

Mr. Rabb offered to amend by striking out all after the words "3 o'clock" and inserting in lieu thereof "and proceed with the regular order of business."

Mr. O'Brien offered the following ;

"Amend the amendment by reading, each member be allowed to call up one bill" which was adopted and the resolution as amended was adopted.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended as therein shown and as amended has concurred in the report of the joint committee on the time of adjournment of the general assembly for recess and the time of reconvening of the same,

And has passed the house bill,

H. 97. To repeal an act entitled an act to provide for the more efficient working, keeping up, repairing and improving the public roads and bridges, and opening and making new roads and bridges in the county of Morgan ; to locate and construct and build within the limits of said county a system of public roads and bridges of a superior grade, to be known and designated as county roads;

H. 199. To abolish the city court of Decatur, and to transfer all the civil cases at law and the criminal cases



therein pending, together with all the dockets, papers and books relating to said cases in said city court, to the circuit court of Morgan county, Alabama ; and to transfer all the cases now pending upon the equity docket of said city court, together with all the dockets, papers and books, of every kind whatsoever, to the court of chancery of the county of Morgan.

W. L. CLAY, Secretary.

#### SENATE MESSAGE.

On motion of Mr. Knight, the house non-concurred in the senate amendment to the report of the joint committee on the time of adjournment of the general assembly for recess and asked for a conference committee.

Committee on the part of the house, Messrs. Knight, O'Brien and Rand.

#### BILLS ON SECOND READING.

The chairmen of the several committes, reported favorably on the following bills :

H. 535. To require the court of county commissioners of Jefferson county to draw their warrant on the treasurer of said county in favor of M. A. Mason the registrar of said county for services as registrar as herein specified;

H. 326. To amend section one of an act entitled an act to empower the governor of Alabama to reconvey to the United States a certain tract of land upon conditions described in this act, approved February 28, 1889;

H. 511. For the relief of John S. Oldham and George H. Bodeker and to authorize and require the city of Birmingham to pay them for services as police sergeants;

H. 443. To prohibit stock from running at large in parts of beats No. 7 and 8 Clay county;

H. 505. To prohibit the sale or otherwise disposing of any alcoholic, vinous or malt liquors or other intoxicating drinks or beverages within three miles of Zion's Hill. Missionary Baptist church in beat 17 Tallapoosa county;

H. 518. To amend section 1 and 2 of an act to incorporate the town of Rutledge in the county of Crenshaw and State of Alabama, approved February 11, 1893;

H. 490. To incorporate the Lauderdale County Fair Association;

H. 497. To amend and ratify the charter of the East Alabama Fertilizer Company, incorporated in Barbour county, Alabama, under the general statutes of said state, and to extend and enlarge the powers of said company;

H. 521. To establish a new charter for the town of Lanett in Chambers county;

s. 16. To regulate practice and procedure in the circuit court in Talladega county in this state;

s.96. To regulate the practice and proceedings in civil cases in the circuit courts of Colbert and Lauderdale counties in this state, and in the supreme court on appeals from judgment rendered in such cases ;

H. 503. To amend section 3069 of the code of Alabama;

H. 494. To amend section 3421 of the code of Alabama;

H. 489. To provide for the examination of witnesses on motions for the appointment of receivers;

H . 488. To regulate pleadings in criminal cases where the title, ownership or possession of property the subject of the offense, or which it is necessary to aver the title to or the ownership or possession of, is alleged to be in a corporation, or in a partnership;

H. 422. To amend section 2931 of the code of Alabama;

H. 421. Regulating the protest of negotiable paper;

H. 493. To amend section 4031 of the code of Alabama;

H. 152. To amend section 2 and section 12 of an act entitled an act to more effectually secure competent and well qualified jurors in the several counties in this state, approved February 28th, 1887;

H. 534. To incorporate Morgan County College, in Morgan county, Alabama;

H. 536. To incorporate the town of Goodwater, Coosa county;

S. 17. To amend sections 5, 6, 10, 11, 14, 26, 23 and 29 of an act entitled an act to provide for the more efficient working of the public roads ,in Talladega county, approved December 9, 1886, and to amend section 4

of an act entitled an act to amend sections 20, 21, 22 and 26 of an act entitled an act to provide for the more efficient making of the public roads in Talladega county, approved February 13th, 1889;

s. 41. To establish a state board of embalming to provide for the better protection of life and health, to prevent the spread of contagious diseases and to regulate the practice of embalming and the care and disposition of the dead;

s. 145. To amend section 2945 (3268) of the code of Alabama;

s. 42. To amend section 3588 of the code.

The above and foregoing bills, were severally read a second time, and placed on the calendar.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

The committee on engrossed bills report the following: bills correctly engrossed :

H. 74, 92, 120, 122, 123, 196, 451.

CHAS. A. WHITTEN, Chairman.

#### REPORT OF ENROLLED BILL.

#### HOUSE OF REPRESENTATIVES.

Mr. Speaker:

The committee on enrolled bills report the following: bills correctly enrolled :

H. 21. To incorporate the Baily Springs University for the higher education of women;

H. 97. To repeal an act entitled an act to provide for the more efficient working, keeping up, repairing and improving the public roads and bridges, and opening and making new roads and bridges in the county of Morgan ; to locate and construct and build within the limits of said county a system of public roads and bridges of a superior grade, to be known and designated as county roads;

H. 225. To create the eleventh judicial circuit of the state of Alabama, to fix the time of holding court therein and to provide for the appointment of a judge for said, circuit and the election of a solicitor for said circuit.

J. H. MONTGOMERY,  
Chairman.

## SIGNING BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, whose titles are set forth in the foregoing report of the committee on enrolled bills.

On motion of Mr. McQueen H. 261 was taken from an adverse report and referred to the committee on revision of laws.

On motion of Mr. Hill 100 copies of H. 556 were ordered printed.

## GOVERNOR'S MESSAGE

OFFICE OF THE GOVERNOR,  
MONTGOMERY, December 7th, 1894.

Mr. Speaker:

I have the honor to inform you that the following bills, which originated in the house, have been approved:

Nos. 105,61,89,151,91,113,63,49,23,169.

Very respectfully,

HARVEY E. JONES,

Private Secretary.

Mr. John moved to take from the table,

H. 138. To incorporate the University, School at Clanton, Chilton county, Alabama;

Which motion prevailed, and on motion of Mr. John the vote by which the bill was ordered to a third reading was reconsidered and amendments were offered and adopted and the bill was read a third time at length and passed;

Yeas 66, nays 0.

Yeas :

Messrs. Speaker, Banks, Barren, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Curtis, Dale, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jackson, Jinks, John, Kennedy, Killebrew, Knight, Langley, Maples, Mastin, Meador, Mahan, Mixon, O'Brien, Ott, Patton, Perry, Prowell, Rabb,

Robinson, Rogers, Rowe, Sanford, Savage, Screws, Smith of Greene, Summers, Ward, Wheelless, Williams of Bullock—66.

BILLS ON THIRD READING.

H. 54. To require the clerk of the circuit court of Butler county to perform the duties of clerk of the county court of said county, and fixing his fees for such services,

Was called on the calendar,

Mr. Knight moved to table the bill. Carried.

H. 71. To amend 3763 of the criminal code of 1886,

Was read a third time at length and passed—yeas 75, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Harris, Hearn, Jackson, Jinks, John, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Meadows, Mahan, Mixon, Moore, McCorvey, O'Brien, Ott, Perry, Prowell, Rabb, Rand, Roach, Robinson, Rowe, Routon, Savage, Scarborough, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry—75.

Mr. Dale called up

H. 385. To legalize certain applications from the counties of Butler, Chilton, Cleburne, Coosa, Dale, Elmore, Greene, Lee, Randolph, Sumter, Shelby, Talladega, Tallapoosa, Tuscaloosa, Walker and Wilcox, for relief under the provisions of "an act for the relief of needy Confederate soldiers and sailors, residents of Alabama, who from wounds or other cause, are now unable to earn a livelihood, and for the widows of such as were killed or died in said war, and have not since remarried" approved February 13, 1891,

Which was read a third time at length and passed—yeas 70, nays 1.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Ballinger, Boykin, Burns, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Graham, Grant, Graves, Harris, Hearn, Jackson, John, Kennedy, Killebrew, Knight, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Moore, McCorvey, Ott, Perry, Prowell, Rabb, Rand, Robinson, Rowe, Sanford, Savage, Scarborough, Screws, Seale, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—70.

Nay:

Mr. Brown of Russell.

The bill was ordered to the senate without engrossment.

H. 405. To provide for the empanelling of petit juries and grand juries, and for the trial of criminal causes in the Bessemer division of the circuit court of Jefferson county, holden at Bessemer under an act to provide for the holding of terms of the circuit court of the tenth judicial circuit for the trial of civil causes at Bessemer in and for certain portions of Jefferson county therein mentioned, approved February 21st, 1893,

Was read a third: time at length and passed—yeas 62, nays 0.

Yeas:

Messrs. Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ellis, E wing, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Harris, Jackson, John, Kennedy, Killebrew, Knight, Langley, Lipscomb, Maples, Meador, Meadows, Mahan, Mixon, Moore, McClusky, Ott, Patton, Perry, Rand, Robbins, Robinson, Rowe, Sanford, Savage, Seale, Smith of Butler, Smith of Greene, Summers, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—62.

H. 241. To make appropriations for the payment of sheriffs for the feeding and removal of prisoners for the years ending September 30, 1893, and September 30, 1894, respectively,

Was read a third time at length and passed—yeas 66, nays 0.

Yeas:

Messrs. Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Burks, Burns, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graves, Hearn, Hill, Jackson, John, Kelly, Kennedy, Killebrew, Langley, Lipscomb, Meador, Meadows, Mahan, Mixon, Moore, McQueen, O'Brien, Ott, Patton, Perry, Rabb, Rand, Roach, Robbins, Robinson, Rowe, Routon, Sanford, Savage, Scarborough, Screws, Seale, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Whitten, Williams of Bullock—66.

H. 83. To repeal an act entitled an act to fix the compensation for recording, registration and copying in the probate offices in the counties of Lowndes, St. Clair, Etowah, Blount and Calhoun, so far as the same relates to the county of Lowndes,

Was read a third time at length and passed—yeas 56, nays 1.

Yeas :

Messrs. Barren, Beasley, Beeson, Bellinger, Calhoun, Cook of Wilcox, Curtis, Dale, Ewing, Fielding, Fleming, Fletcher, Franklin, Fuller, Fulton, Gains, Gibbons, Graves, Hearn, Jackson, Jinks, John, Kennedy, Knight, Langley, Lipscomb, Maples, Meadows, Mahan, Mills, Mixon, McClusky, O'Brien, Ott, Patton, Perry, Rabb, Rand, Roach, Robbins, Robinson, Rowe, Rowton, Sanford, Savage, Scarborough, Seale, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry.—56.

Nay: Mr. Coleman.

H. 75. To be entitled an act to define the territorial jurisdiction of justices of the peace and notaries public ex-officio justices of the peace of the several precincts in Jefferson county, and the notaries public ex-officio justice of the peace appointed for the several wards of the city of Birmingham,

Was read a third time, at length, and passed.

Yeas 59; nays 0.

Yeas:

Messrs. Speaker, Banks, Beeson, Brown of Russell, Calhoun, Cameron, Camp, Cook of Talladega, Dale, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Jackson, John, Kennedy, Killebrew, Knight, Langley, Lipscomb, Maples, Meador, Meadows, Mills, Montgomery, Moore, McClusky, McQueen, O'Brien, Ott, Perry, Rand, Roach, Robbins, Robinson, Rowe, Sanford, Savage, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Williams of Henry.—59.

H. 78. To alter and amend the law relating to the territorial jurisdiction and pay of justices of the peace and notaries public ex-officio justices of the peace in precincts 21 and 37 in Jefferson county and the several wards of the city of Birmingham, and to provide a punishment for the violation thereof ;

Was read a third time, at length and passed.

Yeas 55 ; nays 0.

Yeas:

Messrs. Speaker, Beasley, Bellinger, Burks, Burns, Calhoun, Cameron, Camp, Cook of Wilcox, Curtis, Dale, Davis, Fielding, Fleming, Fletcher, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, John, Kennedy, Killebrew, Knight, Langley, Maples, Meador, Meadows, Mahan, Mixon, McClusky, McCorvey, Ott, Perry, Prowell, Rabb, Rand, Roach, Robbing, Robinson, Rowe, Savage, Scarborough, Screws, Summers, Tuck, Turner, Ward, Whitten, Williams of Bullock, Williams of Henry.—55.

H. 99. To be entitled an act to repeal an act entitled an act to more effectually secure competent and well qualified jurors in the several counties of this State, approved February 28, 1887, and the act amendatory thereof, so far as applicable to the county of Pike,

Was read a third time, at length, and passed.

Yeas 50 ; nays 1.

Yeas:

Messrs. Beasley, Beeson, Burks, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Ewing, Fleming, Fletcher, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Graves,



Jackson, Kelly, Knight, Langley, Mayfield, Meador, Moore, McClusky, McCorvey, McQueen, Perry, Rabb, Roach, Robbing, Robinson, Rove, Rowton, Savage, Scarborough, Smith of Butler, Smith of Greene, Summers, Taylor, Tuck, Ward, Wheelless, Whitten, Willet, Williams of. Bullock —50.

Nay: Mr. John,

H. 107. To repeal an act entitled an act to regulate the pay of the judge of probate and clerk of the circuit court of Covington county for services ex-officio, approved January 28, 1891.

On motion of Mr. John the bill was tabled.

H. 110, To repeal an act entitled: an act to regulate the issue of garnishments and the proceedings thereon in the counties of Jefferson, Dallas, Calhoun, Escambia and Cleburne, approved February, 21, 1893.

Mr. Rabb offered the following amendment:

Amend section 1 by adding after the word "dollars". where it occurs the word "Escambia."

Adopted, and the bill was read a third time, at length, and passed.

Yeas 59 ; nays 0.

Yeas:

Messrs. Beeson, Bellinger, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ewing, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hill, John, Kennedy, Killebrew, Kyle, Langley, Maples, Meador, Meadows, Maban, Mixon, McClusky, McCorvey, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Rowe, Savage, Scarborough, Screws, Smith of Greene, Summers, Tuck, Ward, Willet, Williams of Bullock—59.

Mr. Sanford moved to take

H. 107. To repeal an act entitled an act to regulate the pay of the judge of probate and clerk of the circuit court of Covington county for services ex-officio, approved January 28, 1891,

From the table. Carried, and the bill was read a third time, at length, and passed,

Yeas 45 ; nays 36.

Yeas:

Messrs. Beasley, Bellinger, Brown of Conecuh, Calhoun, Cameron, Curtis, Deans, Ewing, Fleming, Forman, Gibbons, Hearn, Hill, Jackson, Killebrew, Knight, Langley, Lipscomb, Mastin, Mayfield, Meador, Meadows, Mills, Mixon, McCorvey, McQueen, Patton, Prowell, Rabb, Rand, Robbins, Robinson, Routon, Sanford, Screws, Seale, Smith of Butler, Smith of Mobile, Tuck, Turner, Ward, Wheelless, Whitten—45.

Nays:

Messrs. Barron, Brown of Russell, Burks, Burns, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ellis, Fielding, Fletcher, Franklin, Fuller, Fulton, Gains, Gewin, Grant, Graves, Jinks, John, Kennedy, Kyle Maples, Mahan, McClusky, O'Brien, Ott, Perry, Roach, Rowe, Scarborough, Smith of Greene, Willett, Williams of Bullock—36.

H. 135. To regulate the commissioners court in Marion county,

Was read a third time, at length, and passed.

Yeas 67 ; nays 0.

Yeas:

Messrs. Speaker, Barron, Beasley, Beeson, Bellinger, Burks, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Wilcox, Curtis, Dale, Davis, Ewing, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Jackson, Jinks, Kennedy, Knight, Kyle, Langley, Lipscomb, Mastin, Meador, Meadows, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, Ott, Patton, Perry, Rabb, Rand, Roach, Robbins, Robinson, Sanford, Savage, Scarborough, Screws, Seale, Smith of Greene, Smith of Mobile, Tuck, Ward, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry.—67.

The hour of 1 o'clock having arrived, the house adjourned till 3p.m. to-day.

#### AFTERNOON SESSION.

The house met pursuant to adjournment.

A quorum was present.

On motion of Mr. Knight house bill 529 was recalled from the committee on local legislation and referred to the committee on revision of laws.

## BILLS ON THIRD READING.

On a call of the roll of members bills were called up as follows :

By Mr. Banks:

H. 459. Authorizing the abstracts of the burnt records of Franklin county to be used in evidence where the original instrument is destroyed,

Which was read a third time at length and passed—yeas 67, nays 0.

Messrs. Speaker, Banks, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Dale, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Harris, Hearn, Hill, Jackson, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Manning, Maples, Meador, Meadows, Mahan, Mills, Moore, McCorvey, O'Brien, Ott, Patton, Perry, Prowell, Rand, Roach, Robbins, Rowe, Savage, Smith of Butler, Smith of Greene, Summers, Taylor, Tuck, Ward, Wheelless, Whitten, Williams of Bullock—67.

H. 304. To regulate the issue of garnishments and the proceedings thereon before justices of the peace and notaries public ex-officio justices of the peace in the county of Escambia,

Was read a third time at length and passed—yeas 69, nays 0.

Messrs. Speaker, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Harris, Hearn, Hill, Jackson, Jinks, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Manning, Maples, Meador, Meadows, Mahan, Mixon, McCorvey, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Roach, Robbins, Robinson, Rowe, Scarborough, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—69.

By Mr. Barren:

H. 242. To amend section 3089 of the code so far as the same relates to Perry county,

Was read a third time at length and passed—yeas 69, nays 0.

Yeas :

Messrs. Speaker, Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale; Davis, Ellis, Ewing, Fleming, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Harris, Hill, John, Kelly, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Meador, Meadows, Mahan, Mixon, McClusky, McCorvey, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robinson, Rowe, Savage, Seale, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Whitten, Williams of Henry—69.

s. 104. To protect bridges and other public property on Patsaliga creek and the Conecuh river in Covington, Crenshaw and Pike counties from damage by the rafts, drives and floating logs put in by timbermen in said counties,

Was read a third time at length, and passed—yeas 66, nays 3.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Ellis, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbous, Graham, Graves, Harris, Hearn, Hill, Jackson, John, Kelly, Kennedy, Killebrew, Knight, Langley, Maples, Meador, Meadows, Mixon, Montgomery, McClusky, McCorvey, O'Brien, Ott, Patton, Perry, Rand, Robbins, Robinson, Rowe, Savage, Scarborough, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Ward, Wheelless, Williams of Bullock—66.

Nays :

Messrs. Kyle, Mahan and Rabb—3.

By Mr. Boykin—

H. 293. To appropriate the sum of three hundred and fifty dollars to pay Richard W. Walker for professional services rendered the State under contract with the Governor, in the impeachment trial of John B. Tally,

Was read a third time, at length, and passed—yeas.

59 ; nays 1.

Yeas:

Messrs. Speaker, Barren, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fletcher, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Hearn, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Manning, Mayfield, Meador, Meadows, Mixon, Montgomery, McClusky, McCorvey, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Robbins, Robinson, Rowe, Savage, Scarborough, Smith of Greene, Smith of Mobile, Summers, Tuck, Wheelless, Whitten, Williams of Bullock—59.

Nay: Mr. Fuller.

By Mr. Brown, of Conecuh—

s. 65. For the preservation of game in Conecuh county ;

Was read a third time, at length, and passed—yeas.

60 ; nays 2,

Yeas:

Messrs. Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Ellis, Ewing, Fleming, Fletcher, Fulton, Gewin, Gibbons, Grant, Graves, Hearn, Hill, Jackson, John, Kelly, Killebrew, Knight, Kyle, Langley, Lipscomb, Mayfield, Meador, Meadows, Mahan, Mixon, Montgomery, Moore, O'Brien, Patton, Perry, Prowell, Rand, Reaves, Roach,, Robinson, Rowe, Savage, Scarborough, Seale, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Whitten, Williams of Bullock—60.

Nay: Messrs. Cole and Davis.

By Mr. Brown, of Russell—

H. 452. To prohibit the sale or giving away or otherwise disposing of vinous, spirituous or malt liquors, or intoxicating bitters or beverages, within beat number two (commonly known as Crawford beat) in Russell county,

Was read a third time, at length, and passed—yeas-

67 ; nays 0.

Yeas :

Messrs. Banks, Barren, Beasley, Bellinger, Boykin,

Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Cook of Talladega, Dale, Davis, Ellis, Ewing, Fielding, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Hill, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Meador, Meadows, Mahan, Mixon, Montgomery, McClusky, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Rowe, Savage, Scarborough, Seale, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock—67.

By Mr. Burks—

H. 227. To repeal an act entitled an act, to make four wires a lawful fence in a certain portion of Lawrence county, and to provide for the building up of a lawful fence along the line between township 4 and 5,

Was read a third time at length; and passed—yeas 71, nays 0.

Yeas:

Messrs. Banks, Barren, Beasley, Bellinger, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Curtis, Dale, Davis, Ellis, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Harris, Hearn, Hill, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, O'Brien, Patton, Prowell, Rabb, Roach, Robbins, Robinson, Rowe, Sanford, Scarborough, Screws, Smithy of Mobile, Summers, Tuck, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—71.

By Mr. Burns—

s. 18. To relieve Rit M. Lavender, of Hale county, of the disabilities of none-age,

Was read a third time, at length, and passed—yeas 70, nays 0.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown, of Russell, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega,

Curtis, Dale, Davis, Deans, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Harris Jackson, Jinks, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, O'Brien, Ott, Patton, Prowell, Rabb, Roach, Robbins, Robinson, Routon, Sanford, Savage, Scarborough, Seale, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Williams of Henry—70.

By Mr. Calhoun—

H. 337. To repeal an act entitled "an act to regulate trials by juries in the county court of Clarke county," approved February 16th, 1891,

Was read a third time at length and passed—yeas 63, nays 0.

Yeas:

Messrs. Barron, Beasley, Bellinger, Brown of Conecuh, Brown of Russell, Burks, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Fuller, Fulton, Gains, Gewin, Grant, Graves, Harris, Hearn, Jackson, Jinks, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Mahan, Mills, Mixon, Montgomery, Moore, McCorvey, O'Brien, Ott, Patton, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Rowe, Scarborough, Seale, Tuck, Ward, Wheelless, Whitten, Williams of Henry—63.

By Mr. Cameron—

H. 322. To provide for the election of county superintendent of education of Sumter county;

Mr. Hearn offered the following amendment: amend by adding Choctaw to the following provisions of the bill.

Mr. Knight moved to table the amendment, and the yeas and nays being demanded, the motion prevailed—yeas 45, nays 27.

Yeas:

Messrs. Speaker, Barron, Boykin, Brown of Russell, Calhoun, Cameron, Camp, Dale, Fleming, Fletcher, Fulton, Gewin, Gibbons, Grant, Graves, Jinks, Kelly, Kennedy, Knight, Lipscomb, Mayfield, Meador, Mahan, Montgomery, Moore, McClusky, McCorvey, O'Brien, Ott, Patton, Perry, Prowell, Rand, Robinson, Rowe, San-

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yeas 45, nays 27. • ,%e-9non ro eomuo^sib ^ 10  
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ford, Scarborough, Seale, Smith of Greene, Smith of Mobile, Tuck, Ward, Whitten, Williams of Bullock, Williams of Henry—45.

Nays:

Messrs. Banks, Beasley, Beeson, Burks, Cole, Coleman, Cook of Talladega, Deans, Ellis, Ewing, Franklin, Fuller, Gains, Graves, Harris, Hearn, Hill, Jackson, Killebrew, Kyle, Langley, Manning, Mastin, Mills, Mixon, Summers, Wheelless—27.

And the bill was read a third time at length, and passed—yeas 53, nays 9.

Messrs. Speaker, Barron, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Curtis, Dale, Davis, Ewing, Fleming, Fletcher, Forman, Franklin, Fulton, Gewin, Gibbons, Graves, Jinks, Kelly, Kennedy, Knight, Kyle, Langley, Maples, Meador, Mahan, Mills, Montgomery, Moore, McClusky, McCorvey, O'Brien, Ott, Patton, Perry, Robinson, Rowe, Scarborough, Seale, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Whitten, Williams of Bullock, Williams of Henry—63.

Nays:

Messrs. Banks, Burks, Cole, Cook of Talladega, Fuller, Harris, Hearn, Jackson and Mayfield—9.

By Mr. Coleman—

H. 417. To establish a separate school district, to be known as Boaz District, in Marshall county.

The substitute offered by the committee was adopted, and the bill was read a third time at length, and passed, yeas 54, nays 1.

Yeas:

Messrs. Banks, Barron, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Jinks, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Manning, Mayfield, Meador, Mahan, Mills, Mixon, Moore, McCorvey, Ott, Patton, Perry, Prowell, Rand, Robinson, Rowe, Savage, Seale, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Williams of Bullock, Williams of Henry—54.



Nays: Mr. Hill.

By Mr. Cook of Talladega—

s. 14. To more clearly define and locate the boundary-line between the counties of Clay and Talladega, in this State,

Was read a third time at length, and passed—yeas 62, nays 2.

Messrs. Speaker, Banks, Barron, Beasley, Beeson, Bellinger, Boykin, Brown of Concruh, Brown of Russell, Burks, Burns, Calhoun, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Grant, Graves, Jinks, Kelly, Kennedy, Kyle, Langley, Manning, Maples, Mayfield, Meador, Meadows, Mills, McClusky, McCorvey, Ott, Patton, Prowell, Roach, Robinson, Savage, Scarborough, Screws, Seale, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Whitten, Williams of Bullock, Williams of Henry—62.

Nays:

Messrs. Camp and Knight.

By Mr. Cook of Wilcox—

s. 74.\_ To repeal an "act to provide for the drawing and organization of the grand and petit jurors in the county of Wilcox,"

Was read a third time at length, and passed—yeas 53, nays 3.

Yeas:

Messrs. Speaker, Barren, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burns, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fleming, Fletcher, Ford, Forman, Fulton, Gains, Gewin, Gibbons, Grant, Graves Hill, Jackson, Jinks, Kelly, Kyle, Langley, Maples, Mayfield, Meador, Mahan, Moore, McClusky, McCorvey, Ott, Perry, Prowell, Robinson, Rowe, Savage, Seale, Smith of Greene, Smith of Mobile, Ward, Wheeless, Whitten, Williams of Ballock, Williams of Henry—53.

Nays:

Messrs. Davis, Franklin and Fuller.

By Mr. Camp—

H. 210. To incorporate the Alabama State Mutual Assurance Company, and to define its rights, powers and franchises;

The substitute offered by the committee was adopted.  
Mr. Hill moved to table the bill, which was lost, and  
the bill,

Was read a third time at length and passed—yeas 52,  
nays 7.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Boy-  
kin, Brown of Russell, Cameron, Camp, Cook of Wilcox,  
Curtis, Dale, Davis, Ewing, Fielding, Fleming, Fletcher,  
Forman, Fulton, Gewin, Grant, John, Kelly, Kennedy,  
Knight, Kyle, Maples, Mayfield, Meador, Mahan, Mix-  
on, Montgomery, McClusky, McCorvey, O'Brien, Ott,  
Perry, Prowell, Rabb, Robbins, Robinson, Sanford, Scar-  
borough, Seale, Smith of Greene, Smith of Mobile, Sum-  
mers, Tuck, Turner, Wheeless, Williams of Bullock, Wil-  
liams of Henry—52.

Nays:

Messrs. Calhoun, Cole, Franklin, Fuller, Graves, Har-  
ris, Hill and Langley—7.

On motion the house adjourned till 10 a. m. to-  
morrow.

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TWENTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,

December 8, 1894.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Anderson of the city.

A quorum was present.

The committee on revision of the journal reported the  
journal correct.

LEAVES OF ABSENCE

Was granted to Messrs. Moore, Mixon, Killebrew,  
Reaves and Ward for to-day, and to Mr. Smith of But-  
ler till Tuesday.

SPECIAL ORDER.

On motion of Mr. Meador H. 487 was made a  
special order for to-day at 12 o'clock.

## REPORT OF COMMITTEE ON ENGROSSED BILLS.

The committee on engrossed bills report the following bills correctly engrossed:

Nos. 405, 241, 75, 78,71, 107,83, 99, 135, 138,210, 227, 242,293,304, 322,337, 417,452, 459.

CHAS. A. WHITTEN,

Chairman.

Mr Speaker:

The committee on enrolled bills have examined the following bill and find it correctly enrolled:

H. 199. To abolish the city court of Decatur and to transfer all the civil cases at law and the criminal cases therein pending, together with all the dockets, papers and books relating to said cases in said city court to the circuit court of Morgan county, Alabama, and to transfer all the cases now pending upon the equity docket of said city court, together with all the dockets, papers and books of every kind whatsoever to the court of chancery of the county of Morgan.

J. H. Montgomery,

Chairman.

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 SIGNING BILLS.

The speaker of the house, in the presence of the house, immediately after its title had been publicly read by the clerk, signed the bill whose title is set out in the foregoing report of the committee on enrolled bills.

## RECONSIDERATION.

Mr. John moved to reconsider the vote by which

S. 104. To protect the bridges and other public property on Patsaliga creek and the Conecuh river in Covington, Crenshaw and Pike counties from damage by rafts, drives and floating logs put in by timber men in said counties,

Was passed on yesterday;

Mr. Fuller moved to table Mr. John's motion. Lost,

And on motion of Mr. Knight the bill was tabled.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has acceded to the request of the house for a committee of conference on the disagreement of the two houses on the report of the joint committee on the time when the general assembly shall adjourn for recess and reassemble thereafter.

Committee on part of the senate : Messrs. Samford, Cunningham and Bruner;

And has adopted a joint resolution herewith sent, requesting the governor to return to the senate without his signature thereto, the senate bill No. 6;--

And has adopted a joint resolution herewith sent:

To appoint committee to investigate and report upon charges on vessels entering the port of Mobile;

Commit on the part of the senate : Mr. Austill.

W. L. Clay,  
Secretary.

## SENATE MESSAGE.

The house concurred in the joint resolution requesting the governor to return to the senate senate bill 6, and referred the joint resolution to appoint a joint committee to investigate and report upon charges on vessels entering the port of Mobile to the committee on rules.

## INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time and referred to appropriate committees, as follows:

By Mr. Fuller—

H. 561. To change and fix the compensation of the judge of the county court of Bibb county;

Mr. Fuller moved to refer the bill to the committee on local legislation and the yeas and nays being demanded the motion was lost—yeas 30, nays 35.

Yeas:

Messrs. Banks, Beasley, Beeson, Bellinger, Brown of Conecuh, Burks, Burns, Cole, Coleman, Cook of Talla-

dega, Deans, Fleming, Ford, Forman, Franklin, Fuller, Gains, Harris, Hearn, Jackson, Langley, Manning, Martin, Mahan, Mills, Robbing, Savage, Taylor, Tuck, Wheelless—30.

Nays:

Messrs. Speaker, Barren, Brown of Russell, Calhoun, Cook of Wilcox, Dale, Davis, Fletcher, Fulton, Gewin, Gibbons, Grant, Graves, John, Kelly, Kennedy, Knight, Lipscomb, Maples, Mayfield, McClusky, McCorvey, Ott, Pafcton, Perry, Prowell, Rand, Roach, Robinson, Rowe, Scarborough, Smith of Mobile, Turner, Whitten, Williams of Bullock—35.

By Mr. Kelly—

H.562. To amend sections one, two, five, eight, eleven and fourteen of an act entitled an act to ratify and confirm the organization of the Tredegar Mineral Railroad and to confirm and amend the charter thereof, approved Feb. 21st, 1893,

Corporations;

By Mr. Beasley—

H. 563. To better protect tax payers from damage caused by negligent, incompetent or corrupt county officers in this state,

Revision of laws ;

By Mr. Burks—

H. 564. To establish a separate school district to be known as the Crow Hill School District in Cullman county, Alabama,

Education;

Also,

H. 565. To repeal all laws or-parts of laws which authorize or require the payment of the license taxes of Mobile county to the public schools of said county,

Education;

By Mr. Burns—

H. 566. For the better protection of persons assured in fire insurance companies,

Banking and insurance ;

By Mr. O'Brien—

H. 567. To change the name of the Alabama Institute for the Deaf,

Education;

By Mr. John—

H. 568. To amend section 606 of the code of 1886,  
Judiciary;

Also,

H.569. To establish a board for the reception and  
distribution of dead human bodies in Jefferson county  
and to regulate same,

Public health ;

Also,

H. 570. To establish a separate school district for  
Shelby, Shelby county, Alabama,

Education;

By Mr. Smith of Mobile—

H. 571. For the protection of dogs,

Judiciary;

Also,

H. 572. To amend section 3000 of the code of Ala-  
bama,

Judiciary ;

By Mr. McCorvey—

H. 573. To fix the time of holding the chancery courts  
in the Counties of Monroe and Perry,

Revision of laws;

By Mr. McCorvey (by request)—

H. 574. To provide for the appointment of the county  
superintendent of education for Conecuh county,

Education;

By Mr. Turner—

H. 575. To amend section 647 of the code of 1886,

Revision of laws ;

By Mr. Dale—

H. 576. To levy a tax, state and county, on all ped-  
dlers of road carts, sewing machines, cooking stoves,  
watches, bed quilts, clocks and balmorals in the counties  
of Wilcox and Hale,

Ways and means ;

By Mr. Ford—

H. 577. To establish a separate school district to be  
known as the Anton School District in Winston county,  
Alabama,

Education;

By Mr. Ford—

H. 578. To amend an act to prevent hunting on land  
without written consent of the owner or his agent in

Perry and Winston counties, approved February 21, 1893,

Local legislation;

By Mr. Sanford—

H. 579. To ratify and confirm the charter of the Montgomery Street Railway, a corporation chartered under the general laws of this state and to confer additional powers on said Montgomery Street Railway,

Corporations;

By Mr. Sanford (by request)

H. 580. To incorporate the Mutual Fire Insurance Association of Montgomery and to define its rights, powers and franchises,

Corporations;

Also, (by request)

H. 581. To fix the annual compensation of the judge of probate, clerk of the circuit court and sheriff of Elmore county for ex-officio services,

Local legislation;

By Mr. Jinks—

H.582. To amend an act approved February 27, 1889 to amend section 1420 of the code of 1886 so far as the same relates to Bullock and Lowndes counties,

Public roads and highways.

The committee on rules reported favorably the following resolution:

Resolved, That a committee composed of the chairman of the committee on temperance and two others to be named by the speaker, be appointed to consolidate all bills on the calendar which have for their purpose the prohibition of the sale of vinous, spirituous or malt liquors in special localities, and report one bill, embracing all these as soon as practicable.

Which was adopted and the speaker appointed as the committee, Messrs. Rowe, John and Foreman.

## RESOLUTIONS.

Mr. Ott offered the following resolution:

Resolved, By the house, the senate concurring, that the governor be requested to return to the senate without his signature H. 21.

Mr. Hearn moved to table. Lost. And the resolution was adopted.

Mr. John offered a resolution providing for the appointment by the speaker of a committee of three to enquire what rights if any are reserved to the state in the supreme court reports which have been or may be published,

And the resolution was referred to the committee on rules.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

s. 6. The senate has adopted joint resolution herewith sent, requesting the president of the senate and speaker of the house to erase their signatures from senate bill No. 6. WM. L. Clay, Secretary.

#### SENATE MESSAGE.

The house concurred in the above joint resolution.

#### REPORT OF CONFERENCE COMMITTEE.

Mr. Knight, from the committee on conference, submitted the following report:

Mr. Speaker:

Your committee of conference to whom was referred the disagreement of the two committees on the senate amendment to the report of the joint committee to fix the time of adjournment and reassembling of the general assembly, having considered the same, recommend the adoption of the following resolution :

That the general assembly adjourn on Friday, December 14, 1894, and reassemble on January 22, 1895.

Respectfully submitted,

W. J. SAMFORD,  
J. M. CUNNINGHAM,  
P. W. BRUNER,  
Committee on part of the senate.  
Thos. E. KNIGHT ,  
F. P. O'BRIEN,  
P. N. G. RAND,  
Committee on part of the house.

The report of the committee of conference was concurred in.



## BILLS ON SECOND READING.

The chairmen of the several committees reported favorably on the following bills :

H. 516. To define the eligibility and competency of county superintendents of public schools in the state of Alabama;

H. 506. To better provide for the establishment and working of the public roads in Tallapoosa and Randolph counties, approved February 21, 1893 ;

H. 555. To amend sections, six, eleven, fifteen, twenty-one, twenty-five, thirty-four, forty and fifty-one of an act entitled an act to amend an act entitled an act to incorporate the Port of Mobile, and to provide for the government thereof, approved December 10th, 1886;

H. 527. To encourage the investment of capital in the state of Alabama;

H. 519. To require all cotton seed meal to be subjected to analysis and inspection as a condition precedent to be offered for sale, and to forbid the sale in this state of such cotton seed meal as is shown by official analysis to contain less than seven and one-half per centum of ammonia, to prescribe a penalty for the violation of the provisions of this act, and for other purposes;

H. 520. To consolidate the criminal dockets of the city court of Selma and of the circuit court of Dallas county, and to make all criminal causes coming into either of said courts by indictment or otherwise, triable in either of said courts and to provide for the clerks fees;

H.449. For the relief of the sureties of R. A. Tompkins, late tax collector of Franklin county ;

H. 395. To amend section 708 of the code of Alabama;

s. 99. To amend section 1398 of the code so far as the same relates to the counties of Cullman, Blount and Winston;

s.33. Joint resolution proposing amendment to section 2 of article (II) 2 of the constitution of the state of Alabama;

H. 551. To regulate the issuance of license to sell vinous, spirituous, or malt liquors in Morgan county, and approved February 3, 1883 ;

H. 552. To prohibit the sale, giving away or otherwise

disposing of any spirituous, vinous, or malt liquors, intoxicating drinks or beverages or fruits preserved in alcoholic liquors within three miles of Bethel Baptist Church, Pleasant Hill Christian Church, Leesdale Christian Church, Forest Chapel Methodist Church, Gaudy's Cove Methodist Church, Mount Tabor Methodist Church, Lebanon Baptist Church, Lacon Presbyterian Church, Fairview Presbyterian Church, Cooper's school house, Crow's school house, and Collins' school house, in Morgan county, Alabama;

H. 540. To authorize the city of Eufaula to construct and maintain a system of sanitary sewerage and to regulate connections with the same;

H. 553. To incorporate the town of Camp Hill;

H. 541. To authorize the city of Eufaula to buy, lease, contract for, build, construct, maintain and operate a system of water works and a gas or electric light plant, or gas and electric light plants, in said city and vicinity;

H. 542. To authorize the city of Eufaula to issue bonds for funding its present bonded debt;

H. 543. To authorize the court of county commissioners of Barbour county to issue bonds of said county to an amount not exceeding ninety thousand dollars, for the purpose of taking up, canceling and retiring the present outstanding indebtedness of said county ;

H. 558. To authorize the city council of Montgomery at any time to issue bonds for the purpose of funding the bonded indebtedness of the city of Montgomery;

H. 289. To regulate proceedings in garnishment cases in Jefferson county, Alabama.

The above and foregoing bills, were severally read a second time, and placed on the calendar.

On motion of Mr. Cook, of Wilcox, H. 507 was recalled from committee on privileges and elections and referred to the judiciary committee.

On motion of Mr. John, H. 288 was taken from an adverse report and referred to the judiciary committee.

#### MESSAGE FROM THE HOUSE.

Mr. Speaker:

s. 6. The president of the senate having erased his signature from the senate bill No. 6, in pursuance of a

joint resolution heretofore adopted, herewith transmit the same to you for the purpose of allowing you to erase your signature therefrom.

W. L. Clay,  
Secretary.

#### SENATE MESSAGE.

S. 6. And the speaker of the house crashed his signature from the bill s. 6.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bills, your signature is requested thereto:

s. 10. To amend section 2 of an act to regulate the drawing and summoning of jurors in the county of Montgomery, approved February 21, 1893;

s. 12. To amend section 4331 of the code of Alabama, so far as the same relates to Montgomery county.

W. L. Clay,  
Secretary.

#### SIGNING BILLS.

The speaker of the house in the presence of the house immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set forth in the foregoing senate message.

#### BILLS ON THIRD READING

H. 205. To allow bonded constables of Tallapoosa county the same fees as the sheriff in certain cases,  
Was read a third time at length, and passed – yeas 51,  
nays 0.

Yeas:

Messrs. Speaker, Banks, Barron, Beeson, Boykin, Brown of Russell, Burks, Burns, Calhoun, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Filding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves,

John, Kelly, Kennedy, Langley, Manning, Mills, McCorvey, O'Brien, Ott, Patton, Roach, Robinson, Rogers, Savage, Scarborough, Seale, Smith of Greene, Smith of Mobile, Tuck, Turner, Wheelless, Williams of Bullock—51.

H. 190. To provide and prescribe for service upon receivers, foreign and domestic, holding, owning, claiming or operating a property in this state.

Was read a third time, at length, and passed – yeas 54, nays 0.

Yeas:

Messrs. Speaker, Barron, Beeson, Boykin, Brown of Conecuh, Burns, Calhoun, Cole, Cook of Wilcox, Curtis, Davis, Fleming, Fletcher, Ford, Forman, Fuller, Fulton, Gains, Gewin, Graham, Graves, Harris, Hearn, Jinks, John, Kelly, Knight, Langley, Lipscomb, Maples, Mahan, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rabb, Roach, Robbins, Robinson, Rowe, Savage, Scarborough, Seale, Smith of Greene, Smith of Mobile, Summers, Tuck, Whitten Williams of Bullock, Williams of Henry—54.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has originated and passed the following bills:

s. 110. To require the auditor to draw his warrant in such different amounts for the legal claims due from the state, as the holder of the claim may desire, not to exceed the amount of the claim :

s. 111. To authorize taxes and licenses due the state to be paid in warrants legally drawn by the auditor:

And has concurred in the house joint resolution requesting the governor to return to the house house bill No. 21 without his signature thereto.

W. L. Clay, Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once, and referred to the committee, as follows:

Ways and means s. 110, s. 111.

H. 95. To provide for the entry of payment of the purchase money recited in conveyances of property on the margin of the record of such conveyances.

The amendments offered by the committee were adopted and the bill

Was read a third time at length, and passed—yeas 62, nays 4.

Yeas :

Messrs; Speaker, Banks, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Jackson, Jinks, John, Kelly, Langley, Lipscomb, Manning, Maples, Meador, Mahan, Montgomery, McCorvey, McQueen, O'Brien, Ott, Perry, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Rowe, Scarborough, Screws, Smith of Greene, Smith of Mobile, Taylor, Tuck, Wheelless, Williams of Bullock, Williams of Henry—62.

Nays :

Messrs. Beasley, Burks, Fuller and Hearn—4.

H. 173. To prevent the tying or staking out of stock on the public roads and railroads of Barbour county,

Was read a third time, at length, and passed—yeas 45, nays 5.

Yeas:

Messrs. Barren, Beasley, Beeson, Brown of Conecuh, Brown of Russell, Calhoun, Cook of Talladega, Curtis, Dale, Davis, Fleming, Fletcher, Forman, Franklin, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Jackson, Jinks, John, Kelly, Lipscomb, Manning, Maples, Mahan, Mills, McClusky, McCorvey, Ott, Patton, Perry, Rand, Roach, Robbins, Savage, Scarbrough, Screws, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Whitten—49.

Nays :

Messrs. Banks, Burks, Cole, Cook of Wilcox, and Fuller—5.

H. 165. To be entitled an act to prescribe the manner of election of the recorder of the city of Montgomery,

Was postponed till the third day after recess.

H. 167. To amend section 1 of an act entitled an act

to establish a Normal School for the education of white male and female teaches at Troy, in Pike county, Alabama, so as to read as follows towit:

Mr. John offered the following amendment:

Add to the end of bill the following, except nine hundred dollars which shall be used to establish a one hundred dollar scholarship entitling to free board and tuition under the direction of the college, one student from each congressional district of the state to be appointed by the state superintendent of education on such uniform competitive examination as he may fix; and, provided that no appointee shall be admitted to any class lower than the Freshman nor receive the benefits of the scholarship for more than two years, and provided that any county in which a State Normal school exists shall be excluded from the benefits of this provision,

Which was adopted.

Mr. Maples offered the following amendment:

Provided that that no part of the appropriation as set forth in said bill as an increase on the original appropriation shall be paid out of the general fund appropriated to free public schools in Alabama.

On motion of Mr. McQueen the amendment was tabled—yeas 50, nays 29.

Yeas:

Messrs. Speaker, Barren, Boykin, Brown of Russell, Burns, Calhoun Cameron, Cook or Wilcox, Curtis, Dale, Deans, Fleming, Fletcher Fuller, Fulton, Graham, Grant, Jinks, John, Kelly, Kennedy, Knight, Lipscomb, Manning, Mayfield, Meador, Mahan, Montgomery, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rand, Roach, Robinson, Rowe, Sanford, Screws, Seale, Smith of Greene, Smith of Mobile, Tuck, Turner, Whitten, Willett, Williams of Bullock, Williams of Henry—50.

Nays:

Messrs. Banks, Beasley Beeson, Bellinger, Brown of Conecun, Burks, Coleman, Cook of Talladega, Davis, Ewing, Forman, Franklin, Gains, Gewin, Graves, Harris, Hearn, Jackson, Langley, Maples, Mastin, Mills, McClusky, Rabb, Robbins, Savage, Scarborough, Summers, Wheelless—29.

24 h

And the bill was read a third time, at length, and passed—yeas 45, nays 31.

Yeas:

Messrs. Speaker, Barron, Boykin, Brown of Russell, Burns, Calhoun, Cook of Wilcox, Dale, Deans, Fleming, Fletcher, Fulton, Graham, Grant, Jinks, John, Kelly, Kennedy, Knight, Lipscomb, Manning, Mastin, Mayfield, Mahan, Montgomery, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Band, Roach, Robinson, Sanford, Smith of Greene, Smith of Mobile, Tuck, Turner, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry—45.

Nays :

Messrs. Banks, Beasley, Beeson, Bellinger, Brown of Conecuh, Burks, Cole, Cook of Talladega, Curtis, Davis, Ellis, Ewing, Fielding, Forman, Franklin, Fuller, Gains, Gewin, Graves, Harris, Hearn, Jackson, Langley, Maples, Meador, Mills, Rabb, Savage, Scarborough, Seale, Summers—31.

Mr. Willett moved to reconsider the vote by which the bill passed, and to table that motion, which motion prevailed.

H.428. To fix the time and place of holding circuit court in the third judicial circuit.

The amendment of the committee was adopted ; was read third time, at length, and passed—yeas 56, nays 0.

Yeas:

Messrs. Speaker, Banks, Barron, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cole, Cook of Wilcox, Curtis, Davis, Ewing, Fielding, Fletcher, Forman, Franklin, Fulton, Gibbons, Grant, Graves, Harris, Jinks, Kelly, Kennedy, Kyle, Langley, Maples, Mayfield, Mahan, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Rand, Roach, Robinson, Rogers, Sanford, Savage, Scarborough, Screws, Smith of Greene, Smith of Mobile, Summers, Tuck, Wheelless, Whitten, Williams of Bullock, Williams of Henry—56.

H. 249. For the relief of F. A. Gamble, ex-probate judge of Walker county, Alabama,

Was read a third time, at length, and passed—yeas 61, nays 0.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Grant, Graves, Harris, Jackson, John, Kelly, Knight, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Mahan, Mills, McClusky, McQueen, O'Brien, Perry, Rand, Roach, Bobbins, Robinson, Rogers, Rowe, Savage, Scarborough, Screws, Seale, Smith of Greene, Smith of Mobile, Turner, Wheelless, Whitten, Willett, Williams of Bullock—61.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the report of the conference committee on the report of the joint committee on the time of recess, and reassembling of the general assembly.

W. L. CLAY,  
Secretary.

The hour of 5 o'clock having arrived, the house proceeded to consider the

#### SPECIAL ORDER,

H . 487. To levy taxes for the use of the State.

Mr. Meador offered a substitute for the bill which was adopted, and the bill was read a third time, at length, and passed—yeas 53, nays 24.

Yeas :

Messrs. Speaker, Barren, Boykin, Brown of Russell, Burns, Calhoun, Cole, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Fletcher, Fulton, Gewin, Gibbons, Graham, Grant, Graves, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Maples, Mayfield, Meador, Mahan, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robinson, Rowe, Sanford, Scarborough, Screws, Seale, Smith of Greene, Smith of Mobile, Tuck, Turner, Willett, Williams of Bullock, Williams of Henry—53.



Nays:

Messrs. Banks, Beasley, Beeson, Bellinger, Brown of Conecuh, Burks, Cole, Cook of Talladega, Ellis, Ewing, Fielding, Forman, Franklin, Fuller, Gains, Harris, Hearn, Jackson, Langley, Mastin, Mills, Robbins, Savage, Wheelless—24.

H. 248. To repeal an act to authorize the board of mayor and aldermen of the city of Jasper to negotiate a loan for the purpose of improving, grading and draining the streets, avenues and alleys of said city, establishing water works, and the payment of the city's indebtedness.

Was read a third time, at length, and passed—yeas 62, nays 0.

Yeas:

Messrs. Speaker, Banks, Barron, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Hearn, John, Kennedy, Langley, Maples, Mastin, Mayfield, Mahan, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rand, Reaves, Roach, Robbing, Robinson, Rowe, Savage, Scarborough, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Williams of Bullock, Williams of Henry—62.

H. 175. To prevent laborers voluntarily entering into contracts in writing in the county of Bullock, for a term of one year or less, from leaving or abandoning the service of their employer without just cause or sufficient excuse.

Mr. Willett moved to table the bill.

Lost.

The bill was passed informally.

H. 180. To relieve W. J. and M. D. Still, of Elmore-county, Alabama, of the disabilities of non-age.

Mr. John moved to amend the title and body of the bill by striking out the words "M.D. Still" and all words applying to him.

Adopted.

And the bill,

Was read a third time, at length, and passed—yeas 54, nays 2.

Yeas:

Messrs. Barren, Beasley, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cole, Cook of Wilcox, Dale, Davis, Ewing, Fletcher, Ford, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Jackson, John, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, McCorvey, O'Brien, Ott, Perry, Roach, Robinson, Rowe, Sanford, Savage, Scarborough, Seale, Smith of Greene, Smith of Mobile, Summers, Tuck, Whitten, Williams of Bullock, Williams of Henry—54.

Nays:

Messrs. Fuller and Willett.

H. 84. To amend section 4331 of the code of 1886.

Mr. Whitten offered an amendment which was adopted.

And the bill,

Was read a third time, at length, and passed—yeas 48, nays 7.

Yeas:

Messrs. Beasley, Boykin, Brown of Conecuh, Burns, Calhoun, Cook of Wilcox, Curtis, Dale, Davis, Fletcher, Forman, Fulton, Gewin, Gibbons, Grant, Graves, Harris, Jackson, John, Kelly, Knight, Langley, Maples, Mastin, Mayfield, Meador, McClusky, McCorvey, O'Brien, Ott, Patton, Perry, Rand, Roach, Robinson, Rowe, Sanford, Savage, Scarborough, Seale, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Whitten, Willett, Williams of Bullock, Williams of Henry—48.

Nays ;

Messrs. Banks, Beeson, Bellinger, Burks, Coleman, Deans, Fuller—7.

H. 221. To establish a separate school district to be known as Reynolds School District, in Henry county,

Was read a third time, at length, and passed—yeas 68, nays 1.

Messrs. Banks, Barren, Beasley, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, John, Kelly, Knight, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Mahan, Mills, Montgomery, Mc-

Clusky, McCorvey, McQueen, O'Brien, Ott, Patton, Prowell, Rabb, Rand, Reaves, Roach, Robinson, Rowe, Sanford, Savage, Scarborough, Smith of Greene, Smith of Mobile, Taylor, Tuck, Whitten, Willett, Williams of Bullock, Williams of Henry—68.

Nays:

Mr. Beasley.

H. 250. To create a separate school district in the city of Jasper, Alabama, to define the boundaries thereof, and provide for the maintenance of schools therein,

Was read a third time, at length, and passed—yeas 69, nays 0.

Yeas :

Messrs. Barren, Beasley, Beeson, Boykin, Brown of Russell, Burns, Calhoun, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, E-wing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jackson, Jinks, John, Kelly, Kennedy, Knight, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Mahan, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Patton, Perry, Prowell, Rabb, Rand, Roach, Robbing, Robinson, Rowe, Sanford, Savage, Scarborough, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry—69.

On motion the house adjourned till 10 o'clock Monday.

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TWENTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,

December 10, 1894.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Ott, of the house.

A quorum was present.

The committee on revision of the journal reported the journal of yesterday correct.

LEAVE OF ABSENCE.

Was granted to Messrs. Burns, Coleman, Mayfield and

Moore, indefinitely, and to Messrs. Routon, and Williams of Bullock for to-day.

GOVERNOR'S MESSAGE.

OFFICE OF THE GOVERNOR,  
Dec. 10, 1894.

Mr. Speaker:

I have the honor to inform you that the following bills, which originated in the house, have been approved :

Nos. 97, 113, 199.

Very respectfully,

HARVEY E. JONES,  
Private Secretary.

INTRODUCTION OF BILLS.

On a call of the counties bills were introduced, severally read one time, and referred to appropriate, committees, as follows :

By Mr. Bellinger, (by request)—

H. 583. To increase the powers of the Oneonta High School of Blount county,-

Education;

Also,

H. 584. Providing for a clerk of the county court of Blount, fixing his duties and compensation, for the trial of all misdemeanors in said county, authorizing jury trials and appeals,

Revision of laws;

By Mr. Kelly—

H. 585. To amend section 2640 of the code, (Venue in civil cases),

Judiciary;

Also, (by request)

H. 586. To make the husband or wife of the defendant a competent witness for the defendant in criminal prosecutions,

Judiciary;

Also, (by request)

H. 587. To constitute the town of Oxford a separate school district, and to provide a board of education therefor;

Education

Also, (by request)

H. 588. To amend certain sections of the charter of the town of Oxford and to give said town of Oxford power to issue bonds,

Corporations;

By Mr. Ewing—

H. 589. To authorize the contest of the election held on the first Monday in August, 1894, and any election hereafter to be held for governor and other state officers.

Privileges and elections;

Mr. Hearne moved that 150 copies be printed for the use of the house.

Mr. Knight moved to table the motion which prevailed.

By Mr. Knight—

H. 590. To prevent stock from running at large in precinct No. eleven in Hale county, Alabama,

Local legislation;

By Mr. Montgomery—

H. 591. To define and limit the effect of a general or public act,

Judiciary;

By Mr. Meador—

H. 592. To establish a county school book board to select a uniform series of text books for use in the public schools of the several counties of the state,

Education ;

By Mr. Smith of Mobile—

H. 593. To establish a court of inferior civil and criminal jurisdiction of Mobile, and to define the jurisdiction thereof,

Judiciary;

Also,

H. 594 To regulate the fees and costs in courts of justices of the peace in the city of Mobile,

Judiciary;

Also,

H. 595. Prescribing jurisdiction of justices of the peace in the city of Mobile,

Judiciary;

By Mr. Brown of Russell—

H. 596. To regulate the trial of certain misdemeanors committed in Russell county,

Revision of laws;

By Mr. Turner (with notice and proof)—

H. 597. For the relief of Cyrus Boykin of Washington county,

Appropriations;

By Mr. Cook of Wilcox—

H. 598. To regulate trials by juries in the county court of DeKalb county and to regulate appeals from convictions in said court,

Revision of laws;

By Mr. Gibbons—

H. 599. To repeal sections 151, 152, 153, 154 and 155 of the code of Alabama and also to repeal an act entitled an act to establish a branch agricultural experiment station in the canebrake, approved February 17th, 1885.

Agriculture;

Also,

H. 600. To amend section 150 of the code of Alabama,

Agriculture ;

Also,

H. 601. To annually dispose of the surplus or balance of the fund arising from the sale of fertilizer tags and license to sell fertilizers after the payment of lawful expenses out of said fund,

Agriculture;

Also,

H. 602. To repeal an act entitled an act to establish an agricultural school and experiment station at Albertville, Alabama, Lebanon, Alabama or Springville, Alabama, to be located by the governor, superintendent of education and commissioner of agriculture passed by the general assembly of Alabama over the veto of the governor, February 21st, 1893,

Agriculture ;

Also,

H. 603. To repeal an act entitled an act to establish a branch agricultural experiment station and agricultural school in southeast Alabama, approved February 21, 1893,

Agriculture;

Also,

H. 604. To repeal an act to establish two branch agricultural stations and agricultural schools, one in north

Alabama and the other at or near Abbeville in Henry county, in southeast Alabama approved February 28th, 1889, and also to repeal an act entitled an act to amend sections 4 and 4½ of an act entitled an act to establish two branch agricultural experiment stations and agricultural experiment schools, one in north Alabama and the other at or near Abbeville in Henry county in southeast Alabama, approved February 28th, 1889,

Agriculture ;

By Mr. Hill—

H. 605. To authorize the Montgomery Shooting Club to borrow money, and execute a mortgage on their property to secure the payment thereof, or of any other debt contracted by it,

Corporations ;

By Mr. Montgomery (by request)—

H. 606. To remove the trial of civil actions and criminal cases from one justice of the peace to another upon affidavit, and regulating the same,

Judiciary.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr Speaker:

The committee on engrossed bills reports the following bills correctly engrossed:

H. 487, 167, 84, 95, 173, 180, 195, 205, 248, 221, 250, 428, 249.

CHAS A. WHITTEN,  
Chairman.

#### BILLS ON SECOND READING.

The chairmen of the several committees reported favorably on the following bills :

s. 144. To prevent any one from procuring vinous, spirituous or malt liquors, or intoxicating bitters, for a minor or person of known intemperate habits ;

s. 68. To amend section 3 of an act "For the protection of dogs," approved February 12th, 1887;

s. 71. To establish the county, or beat of residence, of persons, where their residence is partly in two or more counties, or beats;

s. 125. To amend section 2 of an act entitled "An act to regulate the taking of oysters from the public reefs in the State for sale, or planting, approved December 10th, 1892, and to repeal an act to regulate the planting and taking of oysters in the waters of this State, approved February 18th, 1891, which act, hereby amended was approved February 14th, 1893;

H. 338. To repeal an act entitled an act in relation to trials for misdemeanors in Tuscaloosa and other counties therein named, approved March 19, 1875, so far as the same applies to Clarke county, and to provide for the disposition of certain cases now pending in the county court of Clarke county ;

H. 384. To better prevent the commission of trespass upon lands in Wilcox county, Alabama;

H. 554. To regulate and provide for the trial of misdemeanors in Washington county ;

H. 525. To regulate the issue of writs of certiorari by the probate judge of Henry county;

H. 529. To prohibit obtaining property by false pretenses under contract for performance of act or service in the counties of Lowndes, Wilcox, Monroe and Hale,

H. 491. To prevent the taking or removal of property from this state with the intent to avoid the laws of this state, or to subject the property to legal process in such other state;

H. 562. To amend sections one, two, five, eight, eleven and fourteen of an act entitled an act to ratify and confirm the organization of the Tredegar Mineral Railroad, and to confirm and amend the charter thereof, approved February 21, 1893 ;

H. 579. To ratify and, confirm the charter of the Montgomery Street Railway, a corporation chartered under the general laws of this state, and to confer additional powers on said Montgomery Street Railway ;

H. 189. To define the corporate limits of the city of Birmingham in the state of Alabama (with substitute);

H. 523. To prohibit the sale, giving away, or otherwise disposing of intoxicating liquors, within one mile in every direction of Rehoboth church, Big Creek church, County Line church, Pleasant Grove church and New Hope church, all in the county of Geneva;

H. 531. To protect and regulate the time and man-



ner of catching and taking fish from and in the waters of the state of Alabama, in Madison county;

H. 445. To authorize the county of Jefferson to pay the rent of an armory for the Huey Guards of East Lake, a military company forming part of the Alabama state troops;

H. 524 was returned and referred to the judiciary committee.

The above and foregoing bills were severally read a second time and placed on the calendar.

The committee on rules reported favorably senate Joint resolution raising a joint committee of four, one from the senate and three from the house to inquire what charges of all kinds have been made during the past two years by vessels using the Harbor of Mobile,

Which was adopted, and the speaker appointed as a committee en the part of the house, Messrs. Robinson, Smith of Mobile, and Brooks ;

Also,

Reported favorably house resolution raising a committee of three to enquire what rights, if any, are reserved to the state in the supreme court reports,

Which was adopted, and the speaker appointed as said committee, Messrs. John, Boykin and Rabb.

On motion of Mr. John, senate bill 119 was referred to the last named committee without losing its place on the calendar-

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended as therein shown, and as amended has passed the house bill:

H. 290. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the state, for interest on the public debt, and for public schools;

And has adopted,

s. 115. Joint resolution requesting Alabama senators and representatives in congress to advocate the speedy repeal of the ten per cent. tax on the issues of state banks;

And has adopted a joint resolution, herewith

sent, instructing the president of the senate and the speaker of the house to erase their signatures from the; house bill No. 5. W. L. CLAY, Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees, as follows :

Federal relations, s. 115.

The house concurred in the senate amendments to, H. 290. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the state, far interest on the public debt, and for public schools.

Yeas 48, nays 7.

Yeas:

Messrs. Speaker, Barren, Brown of Russell, Calhoun, Camp, Cook of Wilcox, Curtis, Dale, Davis, Fielding, Fleming, Fletcher, Forman, Fulton, Gibbons, Grant, Graves, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Meador, Mahan, Montgomery, McClusky, O'Brien, Patton, Perry, Rabb, Rand, Roach, Robinson, Rogers, Rowe, Scarborough, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Whitten—48.

Nays:

Messrs. Banks, Beeson, Burks, Ewing, Franklin, Fuller and Wheelless—7.

The house adopted the joint resolution instructing the president of the senate and the speaker of the house to erase their signatures from house bill 5.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bills, your signature thereto is requested :

s. 8. To establish a new charter for Phenix City, in Lee county, Alabama ;

s. 14. To more clearly define and locate the boundary line between the counties of Clay and Talladega, in this state;

s. 65. For the preservation of game in Conecuh county;

s. 6. To authorize the mayor and councilmen of the city of Demopolis to issue bonds of the city of Demopolis for an amount not exceeding fifteen thousand dollars, bearing not more than six per cent. interest per annum, payable semi-annually, for the purpose of erecting and establishing waterworks for said city;

s. 74. To repeal an act to provide for the drawing and organization of the grand and petit jurors in the county of Wilcox;

s. 18. To relieve Rit. M. Lavender, of Hale county, of the disabilities of non-age.

W. L. CLAY,  
Secretary.

#### SIGNING BILLS.

The speaker of the house in the presence of the house immediately after their titles had been publicly read by the clerk, signed the bills, whose titles are set forth in the foregoing senate message.

#### BILLS ON THIRD READING.

H. 393. To prevent stock from running at large in certain portions of Beat No. 3 in the county of Hale, state of Alabama,

Was read a third time at length and passed—yeas 67, nays 0.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Gewin, Gibbons, Graham, Grant, Graves, Harris, Jackson, Jinks, Kelly, Kennedy, Killebrew, Knight, Langley, Manning, Meador, Mahan, Mixon, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Savage, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Tur-

ner, Ward, Wheelless, Whitten, Williams of Henry—67.

SPECIAL ORDER.

H. 463. To amend an act entitled an act to amend section 141 of the code, approved December 12th, 1892 ;

On motion-of Mr. Kennedy the previous question was ordered and the bill

Was read a third time, at length, and lost—yeas 38, nays 43.

Yeas:

Messrs. Speaker, Calhoun, Coleman, Dale, Fielding, Fletcher, Fulton, Gewin, Graham, Graves, John, Kelly, Kennedy, Kyle, Lipscomb, Meador, Mahan, Montgomery, McClusky, McCorvey, Ott, Patton, Prowell, Rabb, Rand, Roach, Robinson, Rowe, Scarborough, Screws, Seale, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Ward, Williams of Henry—38.

Nays:

Messrs. Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Deans, Ellis, Ewing, Fleming, Forman, Franklin, Fuller, Gains, Gibbons, Grant, Harris, Hearn, Hill, Jackson, Killebrew, Knight, Langley, Manning, Maples, Mastin, Mills, Mixon, Perry, Robbins, Rogers, Savage, Smith of Autauga, Summers, Wheelless, Whitten—43.

Mr. Knight changed his vote from yea to nay and gave notice that he would move to reconsider the vote by which the bill was lost.

Mr. Forman moved to reconsider the vote by which the bill was lost and then moved to table that motion. The latter motion prevailed—yeas 40, nays 35.

Yeas:

Messrs. Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Deans, Ellis, Ewing, Fleming, Forman, Franklin, Fuller, Gains, Gibbons, Graves, Harris, Hearn, Jackson, Killebrew, Langley, Manning, Maples, Mastin, Mills, Mixon, Perry, Robbins, Rogers, Savage, Smith of Autauga, Summers, Wheelless—40.

Nays:

Messrs. Speaker, Calhoun, Coleman, Dale, Fletcher, Fulton, Graham, Grant, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Meador, Mahan, Montgomery, McClusky, McCorvey, Ott, Patton, Prowell, Rabb, Rand, Roach, Robinson, Rowe, Screws, Seale, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Whitten—35.

H. 477. To fix the times and places of holding the courts in the first judicial circuit of Alabama, and to regulate the practice therein,

Was read a third time, at length, and passed—yeas 69, nays 1.

Yeas :

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Fielding, Fleming, Fletcher, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jackson, John, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Meadows, Mahan, Mills, McClusky, McCorvey, Ott, Patton, Perry, Prowell, Rand, Robbins, Robinson, Rogers, Rowe, Scarborough, Seale, Smith of Autauga, Smith of Greene, Summers, Tuck, Turner, Ward, Wheelless, Whitten—69.

Nay: Mr. Coleman.

H. 228. To create four commissioners districts in Lee-county, Alabama, and to provide for the election of four commissioners thereof,

Was read a third time, at length, and passed—yeas 60, nays 0.

Yeas:

Messrs. Banks, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Grant, Graves, Harris, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Langley, Lipscomb, Manning, Maples, Mastin, Meador, Mahan, Mixon, McCorvey, Perry, Rabb, Robbins, Robinson, Rogers, Rowe, Savage, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless—60.

H. 204. To provide for the better support and maintenance of the public schools of St. Clair,

Was read a third time at length and passed—yeas 69, nays 0.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Brown of Conecuh, Brown of Russell, Burks, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Ellis, Ewing, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Harris, Hearn, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Meador, Mahan, Mixon, Montgomery, McClusky, O'Brien, Ott, Patton, Perry, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Scarborough, Screws, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Ward, Wheelless, Whitten, Williams of Henry—69.

H. 536. To incorporate the town of Goodwater, Coosa county,

Was read a third time at length and passed—yeas 73, nays 0.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ellis Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fulton, Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, Jackson, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Meador, Mahan, Mixon, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Savage, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Turner, Ward, Wheelless, Whitten, Williams of Henry—73.

H. 389. To amend section 3532 of the code of Alabama,

Was read a third time at length, and passed—yeas 66, nays 1.

Yeas:

Messrs. Barren, Beasley, Beeson, Bellinger, Boy-

kin, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fulton, Gewin, Gibbons, Graves, Harris, Hearn, Jackson, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mastin, Meador, Mills, Mixon, Montgomery, McClusky, McCorvey, O'Brien, Patton, Perry, Rabb, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Williams of Henry—66.

Nay: Mr. Fuller.

s. 41. To establish a state board of embalming, to provide for the better protection of life and health, to prevent the spread of contagious diseases, and to regulate the practice of embalming, and the care and disposition of the dead,

Was read a third time, at length, and passed—yeas 50, nays 12.

Yeas :

Messrs. Barren, Beasley, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Fleming, Forman, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Hill, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mahan, Montgomery, McClusky, McCorvey, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Robinson, Rogers, Rowe, Scarborough, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Williams of Henry—50.

Nays :

Messrs. Burks, Coleman, Deans, Ellis, Ewing, Franklin, Fuller, Harris, Jackson, Killebrew, Mills, Mixon and Wheelless—12.

H. 93. Was on motion of Mr. Smith of Mobile indefinitely postponed.

The hour of 1 o'clock having arrived the house adjourned—fill 3 p. m., to-day.

#### AFTERNOON SESSION.

The house met pursuant to adjournment.

A quorum was present.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended as therein shown, and as amended, has passed the house bill

H. 110. To repeal an act entitled an act to regulate the issue of garnishments and the proceedings thereon in the counties of Jefferson, Dallas, Calhoun, Escambia and Cleburne, approved February, 21, 1893,

And has originated and passed the following bills :

s. 13. To amend section 8 of an act entitled an act, to provide liens for mechanics and meterial men and to repeal section 3018, 3022, 3025, 3026, 3028 and 3041, of the code and section 3027 as amended by the acts of 1888 89, approved February 12th, 1891;

s. 141. To amend section 3833 of the code;

And has adopted,

s. 210. Senate joint resolution, making acts passed by general assembly of 1894-5, applicable to assessment of taxes in 1895;

And has passed,

H. 108. To regulate the election of county commis-sioners for Covington county;

H. 109. To authorize the judge of probate and com-missioners court of Covington county to lay off said county into four commissioners districts.

W. L. CLAY,  
Secretary.

## SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees as follows:

Ways and means, s. 210;

Judiciary, s. 13.

The house non-concurred in the senate amendment to H. 110 and asked for a committee of conference.

Committee on the part of the house, Messrs.

## BILLS ON THIRD READING.

On a continuation of the call of the roll bills were called up and disposed of as follows :

By Mr. Curtis—



H.168. To establish the Rodgers School District in Pike county.

The amendment offered by the committee was adopted and the bill was read a third time at length and passed—yeas 61, nays 0.

Yeas :

Messrs. Speaker, Banks, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cole, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Harris, Hill, Jackson, John, Kennedy, Killebrew, Langley, Maples, Mastin, Meador, Mahan, Mixon, Montgomery, McCluskey, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Reaves, Roach, Robbins, Robinson, Rowe, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Wheelless, Whitten, Williams of Bullock, Williams of Henry—61.

By Mr. Dale—

H. 206. To give a lien to all ginnerers of cotton in the state of Alabama, and a remedy to enforce the same,

Was read a third time at length, and passed—yeas 47, nays 15.

Yeas :

Messrs. Banks, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ellis, Fleming, Forman, Gains, Gibbons, Grant, Graves, John, Kelly, Kennedy, Killebrew, Kyle, Maples, Mastin, Meador, Mahan, McClusky, O'Brien, Perry, Rand, Roach, Robinson, Rogers, Rowe, Savage, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Whitten, Williams of Bullock, Williams of Henry—47.

Nays :

Messrs. Speaker, Cole, Ewing, Fletcher, Franklin, Fuller, Fulton, Gains, Harris, Hearn, Jackson, Langley, Manning, Mills, Wheelless—15.

By Mr. Davis—

H. 312. To abolish the county court of Marion county, Was read a third time and passed—yeas 58, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Boykin, Brown of

Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Ewing, Fleming, Fletcher, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Hearn, Jackson, Kelly, Kennedy, Killebrew, Kyle, Langley, Maples, Meador, Mahan, Mills, Mixon, Montgomery, McClusky, O'Brien, Ott, Tatton, Perry, Rabb, Roach, Robbing, Robinson, Rogers, Rowe, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Wheelless, Whitten, Williams of Bullock, Williams of Henry—58.

By Mr. Ellis—

H. 520. To consolidate the criminal dockets of the city court of Selma and of the circuit court of Dallas county, and to make all criminal causes coming into either of said courts by indictment or otherwise, triable in either of said courts and to provide for the clerks fees,

Was read a third time, at length, and passed—yeas 59, nays 0.

Yeas :

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Burks, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fletcher, Ford, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Jackson, Kelly, Kennedy, Killebrew, Kyle, Langley, Maples, Meador, Mixon, Montgomery, McClusky, O'Brien, Ott, Perry, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Williams of Bullock, Williams of Henry—59.

The bill was ordered to the senate without engrossment.

By Mr. Deans—

H. 397. To confirm, amend and enlarge the charter of the Chattahoochee Brewing Company,

Was read a third time, at length, and passed—yeas 59, nays 2.

Yeas:

Messrs. Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons,

Grant, Harris, Jackson, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Meador, Mixon, McClusky, O'Brien, Perry, Roach, Robins, Robinson, Rogers, Rowe, Savage, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Ward, Wheelless, Williams of Henry—59.

Nays:

Messrs. Mahan and Ott—2.

By Mr. Ewing—

H. 295. To create a separate school district in Cherokee county, Alabama, to be known as Taff School District, and to define the boundaries thereof,

Was read a third time, at length, and passed—yeas 63, nays 0.

Yeas:

Messrs. Beasley, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Harris, Hearn, Jackson, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Mastin, Meador, Mahan, Mills, Mixon, McClusky, O'Brien, Ott, Rand, Roach, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Ward, Wheelless, Williams of Bullock, Williams of Henry—63.

By Mr. Fleming—

H. 245. To incorporate the Alabama Mutual Fire Insurance Company.

A substitute with the following title :

"To incorporate the Alabama Mutual Fire Insurance Company and to define its rights, powers and franchises,"

Was adopted.

Was read a third time, at length, and passed—yeas 56, nays 1.

Yeas:

Messrs. Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Burks, Calhoun, Cameron, Camp, Coleman, Cook of Wilcox, Curtis, Dale, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fulton, Gewin, Gibbons,

Grant, Graves, Jackson, John, Kelly, Knight, Kyle, Langley, Maples, Meador, Meadows, Mahan, O'Brien, Ott, Rabb, Rand, Roach, Robinson, Rogers, Rowe, Sauford, Savage, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Williams of Bullock—56.

Nay:

Mr. Fuller.

By Mr. Fletcher—

H. 351. To amend section three (3) of an act entitled an act to define and prescribe a lawful fence in certain portions of the county of Madison, approved February 28th, 1889,

Was read a third time at length and passed—yeas 56, nays 0.

Nays :

Messrs. Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Burks, Camp, Cole, Cook of Talladega, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fleming, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Jackson, Kelly, Kennedy, Langley, Lipscomb, Maples, Meador, Mahan, Mills, Mixon, Montgomery, McClusky, O'Brien, Ott, Patton, Perry, Rand, Roach, Robinson, Rogers, Rowe, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—56.

By Mr. Ford—

s. 98. To establish a separate school district in Winston county, to be known as the "Dismal School District,"

Was read a third time at length and passed—yeas 63, nays 0.

Yeas :

Messrs. Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Calhoun, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fleming, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Harris, Hearn, John, Kelly, Kennedy, Knight, Kyle, Langley, Maples, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, McClusky, McCorvey, O'Brien, Ott, Patton, Perry, Rabb, Roach, Robbins, Robinson, Rogers, Rowe, Sanford,

Savage, Scarborough, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry—63.

By Mr. Forman—

H. 467. To incorporate Spring Lake College, and to repeal an act to incorporate Springville High School, and an act to amend charter of Springville Educational Institute,

Was read a third time at length and passed—yeas 58, nays 0.

Yeas:

Messrs. Beasley, Bellinger, Brown of Conecuh, Burks, Calhoun, Cameron, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Grant, Graves, Jackson, John, Kelly, Kennedy, Killebrew, Knight, Langley, Lipscomb, Maples, Meador, Meadows, Mahan, Mixon, Montgomery, McCorvey, O'Brien, Patton, Perry, Rabb, Robinson, Sanford, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry--58.

By Mr. Fulton—

H. 138. To confirm, amend and enlarge the charter of the Bessemer Land and Improvement Company,

Was read a third time at length and passed—yeas 60, nays 0.

Yeas:

Messrs. Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell. Burks, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Davis, Ellis, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Gains, Gibbons, Grant, Harris, Hearn, Kelly, Kennedy, Knight, Kyle, Langley, Maples, Martin, Meador, Meadows, Mixon, Montgomery, McClusky, McCorvey, O'Brien, Ott, Patton, Perry, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Mobile, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock—60.

By Mr. Fielding—

H. 272. To encourage the cultivation of the grape and other fruits in this state, and to provide for and reg-

ulate the sale of vinous liquors produced from fruits grown by cultivation and also indiginous or wild fruits of all kinds and descriptions from which wines can be made and to allow wines made in this state from fruits grown in this state to be sold by the maker or producer of such wines without a license in all the markets of Alabama;

Mr. Fletcher moved to table the bill. Lost.

On motion of Mr. Kelly, the bill was recommitted to the committee on revision of laws.

By Mr. Gains—

H. 251. To amend section eight of an act entitled an act to amend section 2, and paragraphs 5, 7, 9 and 10, and section 4 and section 9 and 10 of an act entitled an act to provide for a charter for the city of Jasper, in Walker county, Alabama, approved February 6, 1889,

Was read a third time at length and passed—yeas 58, nays 0.

Yeas :

Messrs. Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Jackson, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Meador, Mixon, O'Brien, Ott, Patton, Rand Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Ward, Wheeless, Whitten, Williams of Bullock, Williams of Henry—58.

By Mr. Ewing—

s. 31. To amend an act entitled an act to regulate the trial of misdemeanors in Bibb county, approved February 21, 1893.

The following amendments were adopted : amend section 2 ; in 6th line of said section strike out the word "said" and insert "the ;" and in the 6th and 7th lines of said section strike out the words, "of the circuit court as ex-officio clerk," and after the word "said" in the 8th line of said section insert the words "county court."

Amend section 4 by substituting the following :

Section 4. Be it further enacted, that the judge of said county court shall appoint a clerk for said county

court who shall have authority to issue warrants of arrest returnable to said court and the practice and proceedings therein shall conform to the practice and proceedings of the circuit court of the state except as herein modified,

Was read a third time at length and passed—yeas 49, nays 27.

Yeas :

Messrs. Speaker, Boykin, Brown of Russell, Calhoun, Camp, Cook of Wilcox, Dale, Davis, Fleming, Fletcher, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Hill, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Maples, Meador, Mahan, Montgomery, McClusky, McCorvey, O'Brien, Ott, Patton, Perry, Rabb, Rand, Roach, Robinson, Rogers, Rowe, Sanford, Scarborough, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Whitten, Williams of Henry—49.

Nays:

Messrs. Beasley, Beeson, Bellinger, Brown of Conecuh, Burks, Cole, Cook of Talladega, Deans, Ellis, Ewing, Fielding, Forman, Franklin, Fuller, Gains, Harris/Hearn, Jackson, Killebrew, Langley, Manning, Mastin, Mills, Mixon, Summers, Taylor, Wheelless—27.

On motion, the house adjourned till 10 a. m. to-morrow.

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TWENTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,

December 11, 1894.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Howell of Cleburne County.

A quorum was present.

The committee on revision of the journal reported the journal of yesterday correct.

Leave of absence was granted to Mr. Reaves for the remainder of the week, to Mr. Prowell for to-day and to-morrow, and to Mr. McCluskey for to-day.

## RESOLUTIONS.

Mr. Kennedy offered the following :

Resolved by the house, the senate concurring, that the speaker of the house and president of the senate be instructed to erase their signatures from H. 21, which was adopted.

## RECONSIDERATION.

On motion of Mr. Knight, the vote by which the house on yesterday concurred in the senate amendments to

H. 290. "To make appropriations for the ordinary expenses of the executive, legislative and Judicial departments of the state for interest on the public debt, and for public schools,"

Was reconsidered, and the house non-concurred in the senate commandments and asked for a committee of conference. The speaker appointed as the committee on the part of the house, Messrs. Knight, Meador and Turner.

On motion of Mr. John, the vote by which

H. 138. To incorporate the University School at Clanton, Chilton County, Ala.

Was passed, was reconsidered, and the vote by which the bill was ordered to a third reading was reconsidered.

Mr. John offered a substitute, which was adopted,

And the bill

Was read a third time at length, and passed—yeas 63, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Brown of Conecuh, Burks, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Harris, Jackson, Jinks, John, Kelly, Kennedy, Kyle, Langley, Maples, Meador, Mahan, Mixon, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Rowe, Routon, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Williams of Bullock, Williams of Henry—63.



## REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

The committee on engrossed bills report the following bills correctly engrossed:

Nos. 536, 204, 228, 389, 393, 477, 168, 188, 206, 245, 251, 295, 312, 351, 397, and 467.

CHAS. A. WHITTEN,  
Chairman.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

## HOUSE OF REPRESENTATIVES.

Mr. Speaker:

The committee on enrolled bills report the following correctly enrolled:

H. 80. To divide all beats and precincts having more than one voting place and make separate beats of each voting place, and provide for the same so far as the same pertains to Lauderdale county;

H. 86. To require the production of books and writings in actions at law;

H. 104. For the preservation of fish, game and birds in the county of Bullock;

H. 108. To regulate the election of county commissioners for Covington county;

H. 109. To authorize the judge of probate and commissioners court of Covington county to lay off said county into four commissioners' districts ;

H. 112. To amend section two of an act entitled an act to prevent frauds being perpetrated by directors and managing officers of corporations on the stockholders or bondholders thereof, approved December 10, 1892;

H. 134. To repeal an act entitled an act for the protection of fish in Marion county ;

H. 140. To authorize the mayor and councilmen of Troy to issue bonds of said city for an amount not exceeding thirty thousand dollars, for the purpose of making and improving streets, establishing sewerage for said city, and in paying whatever outstanding, floating (not bonded) indebtedness of said city may have at the passage of this act;

H. 146. To amend section 4 of an act entitled an act to incorporate the Evergreen Industrial Normal School, approved Feb. 16, 1891.

J. H. MONTGOMERY,  
Chairman.

#### SIGNING BILLS.

The speaker of the house in the presence of the house immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set out in the above report of the committee on enrolled bills.

#### INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time and referred to appropriate committees, as follows :

By Mr. Bellinger—

H. 607. To prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters, or cordials, within the limits of Oneonta school district,

Temperance ;

By Mr. Rand (By request)—

H. 608. To amend an amend an act entitled an act to establish a new charter for the city of Sheffield, in the county of Colbert, state of Alabama, approved Dec. 12th, 1892,

Corporations;

By Mr. Robbins—

H. 609. To protect bridges over running streams in Coosa county,

Public roads and highways;

By Mr. Beeson—

H. 610. To incorporate the Attalla Normal College, Education;

By Mr. O'Brien—

H. 611. To regulate primary elections in the state of Alabama,

Privileges and elections;

By Mr. John—

H. 612. To provide for the preservation of the public records of this state,

Judiciary;

Also,

H. 613. To regulate the trial of criminal causes in the supreme court of Alabama,

Judiciary;

By Mr. Fleming—

H. 614. To allow the probate judge, clerk of the circuit, city and criminal courts, and sheriff of Pike county, to sell or dispose of their claims against the fine and forfeiture fund in Pike county, and to make said claims receivable in payment of fines and forfeitures, just as state witnesses, against said fund, and now receivable and payable under the statutes of Alabama,

Local legislation;

By Mr. Langley—

H. 615. To better provide for the collection of delinquent taxes in Tallapoosa county,

Ways and means;

By Mr. Beasley—

H. 616. To incorporate the Andalusia High School at Andalusia, Alabama,

Education;

By Mr. Graham—

H. 617. To require insurance companies doing business in Alabama, to publish a semi-annual statement of their condition,

Banking and insurance.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bills, your signature thereto is requested :

s. 77. To create a new charter for the town of Heflin, Cleburne county.

W. L. CLAY, Secretary,

#### SIGNING BILL.

The speaker of the house in the presence of the house immediately after its title had been publicly read by the clerk, signed the bill whose title is set out in the foregoing senate message.

## BILLS ON SECOND READING.

The chairman of the several committees, reported favorably on the following bills :

s. 210. Senate joint resolution making acts passed by the general assembly of 1894—95, applicable to assessment of

H. 267. To change the name of the Alabama Institute for the deaf;

H. 564. To establish a separate school district to be known as the Crane Hill School District in Cullman county, Alabama;

H. 577. To establish a separate school district to be known as the Anton School District in Winston county, Alabama;

H. 570. To establish a separate school district for Shelby, Shelby county, Alabama;

H. 546. To repeal sections ten, eleven, twelve and thirteen of an act entitled an act to prevent the running at large of stock in certain portions of Elmore county, approved February 18th, 1891.

The above and foregoing bills were severally read a second time, and placed on the calendar.

H. 262. Mr. Hearn moved that H. 262 be taken from an adverse report, read a second time and placed on the calendar.

On motion of Mr. Whitten, Mr. Hearn's motion was tabled—yeas 48, nays 34.

Yeas :

Messrs. Speaker, Barren, Boy kin, Brown of Russell, Calhoun, Camp, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Fletcher. Fulton, Gewin, Gibbons, Graham, Grant, Graves, Jinks, John, Kennedy, Knight, Lipscomb, Maples, Mahan, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rand, Roach, Robinson, Rowe, Sanford, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Whitten, Williams of Bullock, Williams of Henry.—48.

Nays :

Messrs. Banks, Beasley, Beeson, Bellinger, Brown of Conecuh, Burks, Cole, Cook of Talladega, Deans, Ellis, Ewing, Fielding, Forman, Franklin, Fuller, Gains,

Graham, Harris, Hearn, Jackson, Killebrew, Langley, Manning, Mastin, Meadows, Mills, Mixon, Rabb, Robbins, Routon, Savage, Smith of Butler, Summers, Taylor, Wheelless—34.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has originated and passed the following bills :

s. 57. To make United States license for the sale of spirituous, vinous or malt liquors or of alcoholic bitters, cordials or beverages of any kind in violation of law in this State prima facie evidence ;

s. 63. To amend section 3790 of the code of Alabama;

s. 106. To amend an act to require the commissioners' court of Jefferson county to pay for assistance to the solicitor of said county in suppressing crime out of certain funds in the county treasury, approved February 18th, 1891;

s. 127. To prohibit a law partner of a solicitor from practicing in criminal cases in any of the courts in which his partner is the solicitor ;

s. 142. To provide for the recording of the verdict of the jury in criminal cases, where the case has been finally submitted to the jury and pending their consideration of the case the defendant absconds, or escapes, and to prescribe the proceedings in such cases ;

s. 136. To regulate the holding of municipal elections, in the city of Tuskaalosa, Alabama;

s. 148. To authorize the mayor and councilmen of the town of Evergreen, to issue bonds of said town for an amount not exceeding twelve thousand dollars for the purpose of putting in a system of water works and making other permanent improvements in said town ;

s. 166. For the relief of W. W. Thompson, sheriff of Macon county;

s. 46. For the relief of James J. S. Willis, a tax collector of Barbour county, Alabama ;

And has amended as therein shown and, as amended, has passed the house bills;

H. 82. To establish a board of revenue tax Lowndea,

county, and define the powers and duties of said board of revenue;

H. 130. To prohibit the sale or bartering of any spirituous, vinous or malt liquors, or any alcoholic bitters, cordials, or beverages of any kind within three miles of Bethel Church, situated in beat 4, in Lee county, Alabama ;

H. 226. To repeal an act, entitled "an act to establish the district court of Colbert and Lauderdale counties," approved February 13th, 1891, and to provide for the disposition of causes pending in said court;

And has passed the following house bills :

H. 80. To divide all beats and precincts having more than one voting place, and make separate beats of each voting place, and provide for the same so far as the same pertains to Lauderdale county;

H. 104. For the preservation of fish, game and birds in the county of Bullock;

H. 134. To repeal an act entitled an act for the protection of fish in Marion county;

H. 140. To authorize the mayor and councilmen of Troy to issue bonds of said city for an amount not exceeding thirty thousand dollars, for the purpose of making and improving streets, establishing sewerage for said city and in paying whatever outstanding, floating (not bonded) indebtedness said city may have at the passage of this act.

H. 112. To amend section two of an act entitled an act to prevent frauds being perpetrated by directors and managing officers of corporations on the stockholders or bondholders thereof, approved December 10, 1892 ;

H. 146. To amend section 4 of an act entitled an act to incorporate the Evergreen Industrial Normal School, approved February 16th, 1891;

H. 86. To require the production of books and writings in actions at law;

And has adopted a joint resolution herewith sent.

s.200½. Investing the governor with plenary power to dispose of the state convicts as to him seems best and most expedient until the enactment of a law thereon;

And has originated and passed the following bill

and ordered the same sent forthwith to the house without engrossment;

s. 59. To amend sections 2080, 2081, 2082, 2084, 2086, 2087, 2134, 2175, 2176, 2192, 2199, 2209, 2238, 2239, 2244, 2245, 2263, 2275, of the code.

And the senate insists on its amendments to the house bill—

H. 290. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for interest on the public debt, and for public schools,

And accedes to the request of the house for a committee of conference on the disagreement of the two houses thereon.

Committee on part of the senate: Messrs. Milner, Samford and Nolen.

And also accedes to the request of the house for a committee of conference on the disagreement of the two houses on the house bill—

H. 110. To repeal an act entitled an act "to regulate the issue of garnishments and the proceedings thereon in the counties of Jefferson, Dallas, Calhoun, Escambia and Cleburne, approved February 21, 1893;

Committee on part of the senate: Messrs. Kemp, Rogers and Porter.

And has passed the house bill—

H. 437. To establish the twelfth judicial circuit, to provide for the appointment of a judge and solicitor therefor, and to fix the time of holding courts therein.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once, and referred to the committees as follows :

Penitentiary and criminal administration, s. 200½;

Judiciary, s. 57, 63, 142,59;

Revision of laws, s. 106,127 ;

Corporations, s. 148;

Appropriations, s. 166, 46.

The house non-concurred in the senate amendments to H. 82.

The house concurred in the senate amendments to—

H. 130. To prohibit the sale or bartering of any spirituous, vinous or malt liquors, or any alcoholic bit-  
ters, cordials or beverages of any kind within three miles  
of Bethel churchy situated in beat 4, Lee county,

Yeas 64, nays 0.

Yeas:

Messrs. Barren, Beasley, Beeson, Bellinger, Brown  
of Conecuh, Brown of Russell, Burks, Calhoun,  
Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis,  
Dale, Davis, Deana, Ellis, Ewing, Fielding, Fletcher,  
Forman, Franklin, Fuller, Fulton, Gains, Gibbons,  
Graves, Harris, Jackson, Kelly, Kennedy, Killebrew,  
Knight, Kyle, Langley, Lipscomb, Maples, Mayfield,  
Meador, Mahan, Mills, Mixon, Montgomery, McCorvey,  
McQueen, O'Brien, Ott, Perry, Rand, Robbins, Robin-  
son, Rogers, Sanford, Savage, Scarborough, Smith of  
Autauga, Smith of Greene, Smith of Mobile, Summers,  
Tuck, Turner, Wheeless, Whitten, Williams of Bullock,  
Williams of Henry—64.

Also concurred in senate amendment by way of sub-  
stitute to—

H. 226. To repeal an act entitled "an act to establish  
the district court of Colbert and Lauderdale counties,"  
approved February 13, 1891, and to provide for the dis-  
position of causes pending in said court,

Yeas 60, nays 0.

Yeas :

Messrs. Barren, Beasley, Beeson, Brown of Conecuh,  
Brown of Russell, Burks, Calhoun, Camp, Cole, Cook of  
Talladega, Cook of Wilcox, Curtis, Davis, Ewing,  
Fleming, Fletcher, Forman, Franklin, Fulton, Gains,  
Gewin, Gibbons, Graham, Harris, Hearn, Hill, Jinks,  
John, Kennedy, Killebrew, Knight, Kyle, Langley,  
Lipscomb, Maples, Meador, Meadows, Mahan, Mills,  
Mixon, McCorvey, McQueen, O'Brien, Ott, Perry, Rand,  
Robbins, Robinson, Rowe, Sanford, Scarborough, Smith  
of Autauga, Smith of Greene, Smith of Mobile, Sum-  
mers, Tuck, Turner, Wheeless, Whitten, Williams of  
Bullock—60.

#### BILLS ON THIRD READING.

H. 554. To regulate and provide for the trial of mis-  
demeanors in Washington county,



Was read a third time, at length, and passed—yeas-59 ; nays 0.

Yeas:

Messrs. Speaker, Barron, Beasley, Beeson, Brown of Russell, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ellis, Fletcher, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Harris, Jackson, Jinks, John, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mahan, Mixon, McCorvey, O'Brien, Ott, Patton, Perry, Rabb, Reaves, Roach, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Whitten, Williams of Bullock—59.

H. 60. For the relief of M. P. Johnson, of Washington county,

Was read a third time, at length, and passed—yeas 57; nays 1.

Yeas :

Messrs. Speaker, Barron, Beasley, Beeson, Bellinger, Boykiu, Brown of Russell, Burks, Calhoun, Camp, Cole, Cook of Talladega, Curtis, Dale, Davis, Fielding, Fletcher, Forman, Frankl'n, Faller, Fulton, Gibbons, Grant, Graves, Harris, Hearn, Hill, Jinks, John, Kelly, Knight, Kyle, Langley, Lipscomb, Maples, Meadows, Mills, Mixon, Montgomery, McCorvey, O'Brien, Rabb, Randy Roach, Robbins, Robinson, Rowe, Routon, Scarborough, Seale, Smith of Greene, Smith of Mobile, Tuck, Turner, Wheelless, Whitten, Williams of Bullock, Williams of Henry—57.

Nay:

Mr. Ott.

Mr. Rowe by leave of the house called up

H.391. To prohibit the selling, bartering, exchanging or giving away of spirituous, vinous or malt liquor, intoxicating bitters or beverages in beat 8, beat 18 Elmore county, Alabama.

The substitute prepared by the Special committee to group all prohibition bills in one bill was offered.

Mr. Knight moved to strike out all localities in the substitute and insert in lieu thereof, "in the State of Alabama."

On motion Mr. Knight's motion was tabled.

On motion of Mr. John the substitute was tabled.

On motion of Mr. Ward the bill was recommitted to to the special committee.

On motion of Mr. Rabb the substitute was taken from the table and recommitted to the special committee.

On motion of Mr. Kyle the committee was instructed not to make report till after recess.

H . 158. To better provide for the establishment and working the public roads in Lauderdale county, Alabama,

Was read a third time at length and passed—yeas 66, nays 0.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fulton, Gains, Gibbons, Harris, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Langley, Lipscomb, Maples, Meador, Meadows Mahan, Mixon, McCorvey, O'Brien, Ott, Prowell, Rabb, Rand, Hoach, Robinson; Rogers, Rowe, Routon, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—66.

H. 370. To amend an act entitled an ad to regulate the apportionment of the school fund in this state by the superintendent of education, approved February 10, 1891, so far as relates to Clarke county.

The substitute offered by the committee was adopted, And the bill,

Was read a third time, at length, and passed—yeas 62, nays 0.

Yeas:

Messrs. Barren, Beeson, Brown of Russell, Calhoun, Camp, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Grant, Graves, Harris, Hearn, Jackson, Jinks, John, Kelly, Knight, Kyle, Langley, Meador, Meadows, Mahan, Mixon, Montgomery, McQueen, O'Brien, Ott, Perry, Rabb, Rand, Heaves, Roach, Robbing, Robinson, Rogers, Rowe, San-

ford, Savage, Scarborough, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—62.

H. 177. Was indefinitely postponed.

H. 246. To amend sections 1, 2, 4, 6 and 9 of an act to regulate the practice of pharmacy, and the sale of poisons in cities and towns of more than 900 inhabitants, in the state of Alabama, approved February 28, 1887, and amended by acts approved February 20th and 25th, 1889.

On motion of Mr. Knight, was tabled.

H. 373. To regulate the trial of misdemeanors in Coffee county.

Mr. McQueen moved the previous question which was ordered, and the bill was read a third time, at length, and lost—yeas 27, nays 59.

Yeas:

Messrs. Speaker, Barren, Beeson, Fleming, Fletcher, Gewin, Graham, Knight, Kyle, Maples, McCorvey, O'Brien, Rand, Robinson, Rogers, Smith of Mobile, Turner, Whitten, Williams of Henry—27.

Nays:

Messrs. Banks, Beasley, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Forman, Franklin, Fuller, Gibbons, Graves, Harris, Hearn, Jackson, John, Kelly Kennedy, Killebrew, Langley, Manning, Mastin, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, McQueen, Ott, Patton, Perry, Rabb, Robbins, Rogers, Rowe, Routon, Savage, Scarborough, Smith of Butler, Smith of Greene, Summers, Taylor, Tuck, Wheelless, Williams of Bullock—59.

Mr. McQueen gave notice of a motion to reconsider the vote by which the bill was lost.

H. 73. To confer upon the mayor of the city of Bessemer, Alabama, the powers and jurisdiction of a justice of the peace in the corporate limits, and police jurisdiction of said city,

Was read a third time, at length, and passed—yeas 53, nays 1.

Yeas:

Messrs. Beasley, Boykin, Brown of Russell, Calhoun,

Camp, Cook of Wilcox, Dale, Davis, Fletcher, Ford, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Manning, Maples, Meader, Meadows, Mahan, Moore, McCorvey, McQueen, O'Brien, Perry, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Wheelless, Whitten, Williams of Bullock—53.

Nay : Mr. Taylor.

s. 16. To regulate practice and procedure in the circuit court in Talladega county in this State.

The amendment offered by the committee as section 4½, was adopted and the bill was read a third time, at length, and passed—yeas 56, nays 0.

Yeas :

Messrs. Speaker, Barron, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Cameron, Camp, Cole, Cook of Wilcox, Curtis, Davis, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Graves, Harris, Hearn, Hill, Jackson, Jinks, Kelly, Kennedy, Kyle, Langley, Maples, Meadows, Mahan, Mills, McCorvey, O'Brien, Ott, Perry, Rand, Roach, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Whitten—56.

The hour of 1 o'clock having arrived, the house adjourned till 3 o'clock. p. m.

#### AFTERNOON SESSION.

The house met pursuant to adjournment.

A quorum was present.

#### BILLS ON THIRD READING.

On a continuation of the roll call, bills were called up and disposed of as follows :

By Mr. Franklin—

H. 392. To incorporate the Etowah Male and Female Institute in Etowah county,

Was read a third time at length, and passed—yeas 58, nays 0.

Yeas:

Messrs. Speaker, Beeson, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cole, Cook of Talladega, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Harris, Jackson, Jinks, John, Kelly, Killebrew, Knight, Kyle, Lipscomb, Mastin, Meador, Meadows, Mahan, Mixon, Montgomery, McQueen, O'Brien, Ott, Patton, Perry, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Savage, Scarborough, Smith of Autauga, Summers, Tuck, Wheelless, Whitten, Williams of Henry, 58.

By Mr. Gibbons—

H. 497. To amend and ratify the charter of the East Alabama Fertilizer Company, incorporated in Barbour county, Alabama, under the general statutes of said State, and to extend and enlarge the powers of said company,

Was read a third time at length, and passed—yeas 63, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Harris, Hearn, Hill, Jackson, Jinks, John, Kennedy, Killebrew, Langley, Lipscomb, Maples, Mastin, Meador, Meadows, Mahan, Mixon, Moore, O'Brien, Ott, Patton, Perry, Roach, Robinson, Rogers, Rowe, Routon, Savage, Scarborough, Smith of Autauga, Summers, Tuck, Turner, Wheelless, Whitten, Williams of Bullock—63.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has originated and passed the following bills:

s. 67. To incorporate the Alumni Association of the Agricultural and Mechanical College of Alabama, and for other purposes pertaining to said association;

s. 62. To amend section 3789 of the Code of Alabama;

s. 163. To amend subdivision 14 of section 8 of an act entitled an act to amend an act to incorporate the city of Fort Payne, DeKalb county, Alabama, approved February 3, 1891;

And has amended as therein shown, and as amended, has passed the house bill,

H. 410. To provide for holding the circuit court of Henry county, at Dothan, and to prescribe the jurisdiction thereof, and regulate the proceedings therein ;

And has passed the house bill;

H. 385. To legalize certain applications from the counties of Butler, Chilton, Cleburne, Coosa, Dale, Elmore, Greene, Lee, Randolph, Sumter, Shelby, Talladega, Tallapoosa, Tuscaloosa, Walker and Wilcox, for relief under the provisions of "an act for the relief of needy Confederate soldiers and sailors, residents of Alabama, who from wounds or other cause, are now unable to earn a livelihood, and for the widows of such as were killed or died in said war, and have not since remarried," approved February 13, 1891;

H. 118. To amend section 3610 of the Code of Alabama ;

H. 119. To repeal an act to-regulate the liens of execution in Jefferson county, Alabama ;

H. 18. To amend section 7 of an act, approved 28th February, 1889, entitled an act to establish a charter for the town of Avondale, Jefferson county ;

H. 241. To make appropriations for the payment of sheriffs for the feeding and removal of prisoners for the years ending September. 30, 1893, and September 30, 1894, respectively,

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once, and referred to the committees, as follows :

Corporations, s. 67, 163 ;

Judiciary, s. 62.

The house concurred in the senate amendments to H. 410. To provide for holding of the circuit court of Henry county at Dothan, and to prescribe the jurisdiction thereof, and regulate the proceedings therein;

Yeas 64, nays 0.

Yeas :

Messrs. Speaker, Barron, Beasley, Beeson, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fletcher, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Harris, Hill, Jackson, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Maples, Mastin, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, O'Brien, Ott, Patton, Rabb, Rand, Reaves, Robinson, Rowe, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Taylor, Ward, Whitten, Williams of Henry—64.

Mr. Meador submitted the following :

#### REPORT OF COMMITTEE OF CONFERENCE.

Mr. Speaker:

Your committee of conference to whom was referred the disagreement between the two houses on the senate amendments of the house bill 290, "to be entitled an act to make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the state, for interest on the public debt, and for public schools," have had the same under consideration and recommend the following :

First, That the senate amendments be amended by striking out amendment 7, adding paragraph 22½ of section 1 of the bill, and as so amended, said amendments be concurred in. Second. That section 1, paragraph 35, in lines one and two, be amended by striking out the words "Mechanical and Agricultural College," and inserting the words "Agricultural and Mechanical College." All of which is respectfully submitted,

JOHN T. MILNER,

W. J. SAMFORD,

R. S. NOLEN,

On part senate.

D. J. MEADOR,  
THOS. E. KNIGHT,  
B. D. TURNER,  
On part house.

Which report was concurred in—yeas 65, nays 0.

Yeas:

Messrs. Speaker, Barron, Beasley, Beeson, Bellinger, Boykin, Brown of Cenecuh, Brown of Russell, Burks, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fletcher, Forman, Franklin, Fulton, Gains, Gibbons, Grant, Graves, Harris, Hill, Jackson, Jinks, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Meador, Meadows, Mahan, Mills, Mixon, O'Brien, Ott, Patton, Perry, Roach, Robinson, Rogers, Routon, Savage, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Wheelless, Williams of Bulluck, Williams of Henry—65.

By Mr. Grant—

H. 334. To fix the fees of the judge of the county court of Clarke,

Was read a third time, at length, and passed—yeas 65, nays 0.

Yeas:

Messrs. Speaker, Banks, Barron, Beeson, Boykin, Brown of Conecuh, Camp, Cole, Coleman, Cook of Wilcox, Dale, Davis, Ewing, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Harris, Hearn, Hill, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Meador, Meadows, Mahan, Mills, Mixon, O'Brien, Ott, Patton, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Savage, Scarborough, Smith of Autauga, Summers, Tuck, Wheelless, Williams of Bullock, Williams of Henry—55.

By Mr. Graves—

H. 474. To incorporate the Eufaula District Academy of the M. E. Church South,

Was read a third time at length and passed—yeas 60, nays 0.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Camp,



Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Grant, Graves, Harris, Jackson, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Meadows, Mahan, O'Brien, Ott, Patton, Perry, Rabb, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Scarborough, Scale, Summers, Taylor, Tuck, Turner, Wheelless, Whitten, Williams of Bullock, Williams of Henry—60.

Mr. Rabb submitted the following:

Mr. Speaker:

We, the conferees of the two houses on the disagreement of the two houses on the senate amendments to the house bill,

H. 110. To repeal an act entitled an act "to regulate the issue of garnishments and the proceedings thereon in the counties of Jefferson, Dallas, Calhoun, Escambia and Cleburne, approved February 21, 1890;

Beg leave to report as follows :

We recommend that the caption of the bill be amended by adding thereto the words : "So far as relates to the counties of Dallas and Escambia." and that the senate do recede from its amendment, striking out "Escambia counties" and insert "county," in the last two lines, leaving the bill in its operations to apply to Dallas and Escambia counties alike.

Respectfully submitted.

M. A. RABB,  
DANIEL COOK,  
J. E. CAMP,

From the house,

W. B. KEMP,  
W. A. PORTER,  
JNO. A. ROGERS,

From the senate.

Which report was concurred in—yeas 58, nays 0.

Yeas :

Messrs. Barren, Beasley, Beeson, Boy kin, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Davis, Deans, Ewing, Fleming, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Grant, Graves, Harris, Jackson, Jinks, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb,

Mastin, Meador, Mahan, Mixon, Montgomery, McQueen, Patton, Prowell, Rabb, Rand, Roach, Bobbins, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Seale, Smith of Autauga, Smith of Greene, Tuck, Wheelless, Williams of Bullock, Williams of Henry—58.

## REPORT OF COMMITTEES ON ENROLLED BILLS.

### HOUSE OF REPRESENTATIVES.

Mr. Speaker:

The committee on enrolled bills report the following bill correctly enrolled :

H. 437. To establish the twelfth judicial circuit, to provide for the appointment of a judge and solicitor therefor and fix the time of holding courts therein.

J. H. MONTGOMERY,  
Chairman.

### SIGNING BILL.

The speaker of the house in the presence of the house, immediately after its title had been publicly read by the clerk, signed the bill, whose title is set forth in the foregoing report of the committee on enrolled bills.

By Mr. Harris—

H. 521. To establish a new charter for the town of Lanett in Chambers county,

Was read a third time, at length, and passed—yeas 52, nays 0.

Yeas:

Messrs. Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Harris, Hearn, Hill, Jackson, Jinks, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Meador, Meadows, Mills, O'Brien, Ott, Patton, Perry, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Rou—ton, Savage, Scarborough, Smith of Autauga, Smith of Greene, Whitten, Williams of Bullock, Williams of Henry—52.

By Mr. Hearn—

H. 328. To require the board of county commissioners of Washington county, Alabama, to divide said county into four commissioners districts and to sub-divide the same into a convenient number of election precincts,

Was read a third time, at length, and passed—yeas 55, nays 0.

Yeas:

Messrs. Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Harris, Hearn, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Maples, Meador, Meadows, Mahan, Mixon, McQueen, O'Brien, Ott, Patton, Perry, Rabb, Roach, Robbins, Rogers, Rowe, Savage, Scarborough, Seale, Smith of Autauga, Smith of Greene, Summers, Turner, Wheelless, Whitten, Williams of Bullock, Williams of Henry—55.

By Mr. Hill—

s. 68. To amend section 3 of an act entitled an act for the protection of dogs approved February 12, 1887,

Was read a third time, at length, and passed—yeas 42, nays 22.

Yeas:

Messrs. Speaker, Beasley, Brown of Conecuh, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Deans, Ellis, Fleming, Gibbons, Grant, Graves, Hill, Jinks, John, Knight, Kyle, Langley, Lipscomb, Maples, Meadows, Montgomery, McQueen, Patton, Rabb, Rand, Roach, Robbins, Robinson, Rogers, Routon, Sanford, Screws, Seale, Smith of Autauga, Smith of Butler, Summers, Tuck, Wheelless, Whitten, Williams of Bullock—42.

Nays:

Messrs. Barren, Beeson, Davis, Ewing, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Kelly, Kennedy, Killebrew, Mahan, Mills, Mixon, Ott, Perry, Rowe, Savage, Scarborough—22.

By Mr. Jackson—

H. 266. To vest in justices of the peace of Dallas county and notaries public and ex-officio justices of the peace, concurrent jurisdiction with the city and circuit

courts of Dallas county, in the trial of persons charged with carrying concealed weapons about their persons,

Was read a third time, at length, and passed—yeas 47, nays 9.

Yeas :

Messrs. Beasley, Beeson, Brown of Conecuh, Calhoun, Camp, Davis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graves, Jinks, John, Kennedy, Killebrew, Knight, Langley, Maples, Meadows, Mahan, Mixon, McQueen, Patton, Perry, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Scarborough, Screws, Scale, Smith of Autauga, Smith of Butler, Summers, Tuck, Ward, Williams of Bullock—47.

Nays :

Brown of Russell, Cook of Talladega, Curtis, Deans, Jackson, Kelly, Kyle, Ott, Wheelless—9.

By Mr. Jinks—

H. 439. For the improvement of the public roads in Bullock county,

Was read a third time, at length, and, passed—yeas 68, nays 0.

Messrs. Banks, Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Grant, Graves, Harris, Hearn, Jackson, Jinks, John Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Maples, Meador, Mahan, Mills, Mixon, Montgomery, McQueen, Patton, Perry, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Scarborough, Screws, Scale, Smith of Autauga, Smith of Butler, Summers, Tuck, Ward, Wheelless, Williams of Bullock—68.

By Mr. John—

H. 289. To regulate proceedings in garnishment cases in Jefferson county;

The substitute offered by the committee was adopted, and the bill

Was read a third time, at length, and passed—yeas 64, nays 0.

Yeas:

Messrs. Barren, Beeson, Bellinger, Boykin, Brooks,

Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fleming, Fletcher, Forman, Fuller, Fulton, Gewin, Gibbons, Grant, Harris, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Meador, Mahan, Mills, McQueen, Ott, Patton, Perry, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Routon, Smith of Autauga, Smith of Butler, Summers, Tuck, Turner, Ward, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry—64.

By Mr. Kelly—

H. 434. To extend the territorial jurisdiction of notary publics and ex-officio justices of the peace appointed for ward one (1) in the city of Anniston,

Was read a third time, at length, and passed—yeas 72, nays 0.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deans, Ellis, Ewing, Fleming, Fletcher, Ford, Franklin, Fulton, Gains, Gibbons, Grant, Graves, Harris, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Maples, Mastin, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, McQueen, Patton, Perry, Robbing, Robinson, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Ward, Williams of Bullock—72.

H. 535. To require the court of county commissioners of Jefferson county to draw their warrants on the treasurer of said county in favor of M. A. Mason, the registrar of said county, for services as registrar as herein specified,

Was read a third time at length, and passed—yeas 56, nays 2.

Yeas:

Messrs. Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deans, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Grant, Graves, Hill, Jackson, John,

Kelley, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Mastin, Meador, Meadows, Mahan, Mills, Mixon, Ott, Patton, Rabb, Rand, Roach, Robbins, Robinson, Rogers, Routon, Scarborough, Smith of Autauga, Smith of Butler, Summers, Tuck, Whitten, Williams of Bullock—56.

Nays :

Messrs. Ellis, Gains—2.

By Mr. Killebrew—

H. 268. To prevent all persons from hunting upon the inclosed lands of the residents of Geneva county, except by-written permission of the occupant of the inclosed premises,

Was read a third time at length, and passed—yeas 58, nays 0.

Yeas:

Messrs. Beasley, Beeson, Bellinger, Brown of Conecuh. Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Curtis, Davis, Deans, Ellis, Ewing, Fleming, Fletcher, Franklin, Fuller, Gains, Gewin, Gibbons, Graves, Jackson, Jinks, John, Killebrew, Knight, Kyle, Langley, Meadows, Mahan, Mills, Mixon, O'Brien, Otts, Patton, Perry, Rabb, Rand, Roach, Robinson, Rogers, Routon, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—58.

On motion the house adjourned till 10 o'clock a.m. tomorrow.

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TWENTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES.

December 12th, 1894.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Ott of the house.

A quorum was present.

The committee on revision of the journal reported the journal of yesterday correct.

27h

## RECONSIDERATION.

Mr. McQueen moved to reconsider the vote by which H. 373 was lost on yesterday. The motion was lost.

## GOVERNOR'S MESSAGE.

OFFICE OF THE GOVERNOR,  
Dec. 12, 1894.

Mr. Speaker:

I have the honor to inform you that the following bill, which originated in the house, has been approved :  
No. 137.

Very respectfully,  
HARVEY E. JONES,  
Private Secretary.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

## HOUSE OF REPRESENTATIVES.

Mr. Speaker:

The committee on enrolled bills report the following bills correctly enrolled :

H. 79. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters at or within two miles of the Sulligent Academy in the town of Sulligent, county of Lamar ;

H. 118. To amend section 3610 of the Code of Alabama ;

H. 119. To repeal an act-to regulate the liens of execution in Jefferson county, Alabama ;

H. 130. To prohibit the sale or bartering of any spirituous, vinous or malt liquors, or any alcoholic bitters, cordials, or beverages of any kind within three miles of Bethel church, situated in beat 4, Lee county, Alabama;

H. 141. To prohibit the selling, giving away, or disposing of spirituous, vinous or malt liquors, or of alcoholic bitters, cordials or beverages of any kind, in St. Clair county;

H. 174. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or

intoxicating beverages, within the limits of Cleveland School district;

H. 226. To repeal an act entitled "an act to establish the district court of Colbert and Lauderdale counties, approved February 13th, 1891, and to provide for the disposition of all causes pending in said court, for the issuance of process on judgments and decrees in said court, for the issuance of process on indictments in said court, and for the transfer of all dockets, papers and books, relating to cases in said court, to the circuit and chancery courts of Colbert and Lauderdale counties respectively, and to provide for the signing of bill of exceptions, and appeals to the supreme court, from judgments and decrees rendered by said court, and to provide for the attendance of grand and petit jurors drawn for said district court to serve in the circuit court of said county of Colbert and Lauderdale, and to provide for the payment of the salary of the judge of said court;

H. 186. To incorporate Pisgah Male and Female Academy;

H. 241. To make appropriations for the payment of sheriffs for the feeding and removal of prisoners for the years ending September 30, 1893, and September 30th, 1894, respectively;

H. 487. To levy taxes for the use of the state.

J. H. MONTGOMERY,  
Chairman.

#### SIGNING BILLS.

The speaker of the house in the presence of the house immediately after their titles had been publicly read by the clerk signed the bills whose titles are set forth in the foregoing report of the committee on enrolled bills.

#### PROTEST.

Mr. Hearn presented the following protest, which was ordered spread on the journal:

The undersigned, members of the house of representatives of the general assembly of Alabama, respectfully protest against the action of a majority of this body in defeating the amendment of the representative of Choc-



law county to include that county in house bill No. 322, which provided for making the office of superintendent of education elective, instead of appointive, for the following reasons:

1st. Because it is a denial of the right of local self-government to the people of Choctaw county.

2nd. Because it involves a denial of a right of a majority of the people of a county to control their own affairs.

3d. Because it establishes a state oligarchy in control of the affairs of the people of the respective counties, which is in effect and practice the destruction of their liberty in a vital and essential feature of that freedom which is vouchsafed by our republican form of government.

4th. Because the way it was accomplished, to-wit, by a motion to table the amendment, tout off debate and deprive the representative of pleading for its passage, or making any effort for his people to have their wishes and demands heard or respected, which is in effect robbing them of their right of representation; and while they are liable to taxation, they are subject to the same grievance which incited the founders of this government to rebellion against England, because of taxation without representation.

J. H. Harris,  
 C. H. Cole,  
 E. C. Jackson,  
 H. C. Ellis,  
 H. P. Gaines,  
 L. R. Wheeless,  
 Nelson Fuller,  
 T. J. Brown,  
 E. J. Beasley,  
 O. M. Mastin,  
 J. C. Killebrew,  
 W. J. Mills,  
 W. C. Mixson,  
 J. C. Manning,  
 G. B. Deans,  
 Zach Savage,  
 T. J. Brooks,  
 E. B. Langley,

D. B. Ford,  
 J. F. Bellenger,  
 C. P. Banks,  
 A. P. Taylor,  
 H. R. Robbins,  
 D. R. Meadows,  
 J. E. Fielding,  
 John A. Smith,  
 John C. Routon,  
 W. A. Cook,  
 W. S. Forman,  
 A. J. Hearn,  
 S. E. A. Reaves.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bills, your signature thereto is requested :

s. 98. To establish a separate school district in Winston county, to be known as the "Dismal School District;"

s. 68. To amend section 3 of an act "For the protection of dogs," approved February 12th, 1887.

W. L. CLAY,  
 Secretary.

#### SIGNING BILLS.

The speaker of the house in the presence of the house immediately after their titles had been publicly read by the clerk, signed the bills, whose titles are set forth in the foregoing senate message.

#### INTRODUCTION OF BILLS.

On a call of the counties bills were introduced, severally read one time and referred to appropriate committees as follows :

By Mr. Fuller—

H. 618. To prevent the explosion of dynamite or other explosive material in any of the waters of Bibb county, Alabama,

Local legislation;

By Mr. Knight—

H. 619. To provide for a mansion for the governor of Alabama,

Appropriations;

Also,

H. 620. To repeal an act to revive and complete the geological and agricultural survey of the state of Alabama, and all laws amendatory thereof,

Appropriations;

Also,

H. 621. To authorize the court, of county commissioners of Hale county to issue bonds for the purpose of paying off and discharging the old bonds of said county, issued in aid of Selma, Marion and Memphis Railroad.

Company,

Corporations;

By Mr. Maples—

H. 622. To authorize the treasurer of Jackson county, to register for payment, outstanding state witness certificates of the late county court of Jackson county as of their date of issuance,

Local legislation,

By Mr. Roach—

H. 623. To prohibit the sale or giving away of alcoholic, spirituous, vinous or malt liquors within five miles of Holland's Chapel Methodist Church ; and within the voting precinct of Button, all within the county of Jackson,

Temperance;

By Mr. Williams of Henry—

H. 624. To create a separate school district to be known as Headland School District in Henry county and to define the boundaries thereof,

Education;

By Mr; John—

H. 625. To prevent justices of the peace and notaries public, having the jurisdiction of justices of the peace, from compromising or dismissing on payment of costs, any criminal case, in which they have not final jurisdiction,

Judiciary;

Also,

H. 626. To create the northern chancery division and

to provide for the appointment of a chancellor thereof,  
and fix the times of holding chancery courts therein,

Judiciary;

Also,

H. 627. To amend sections 352, 358, 367, 381, 383,  
385, 387, and 392 of code,

Privileges and elections;

Also,

H. 628; To amend an act, to further regulate elections  
in the State of Alabama, approved February 21st, 1893,

Privileges and elections;

By Mr. Fielding—

H. 629. To repeal an act entitled an act to provide for  
the compensation of the superintendent of the county  
poor house in Limestone county, Alabama, approved  
February 23rd, 1893,

Local legislation;

By Mr. Curtis—

H. 630. To change the name of Martha Ann Bristow  
and her minor children Mattie Varinda Bristow and Wil-  
liam Dillard Bristow, of Crenshaw county, Alabama, to  
that of Martha Ann Henderson, Mattie Varinda Hender-  
son and William Dillard Henderson,

Revision of laws ;

By Mr. Brown of Russell—

H. 631. Joint resolution declaring certain acts a  
species of blackmail, in Alabama, and for ejecting black-  
mailers from the capitol and capital grounds of this  
state,

Revision of laws ;

By Mr. Deans—

H. 632. To establish the Aldrich School District, in  
Shelby county, Alabama, and to define the boundaries,  
rights, powers and privileges thereof,

Education ;

By Mr. Meadows—

H. 633. To repeal an act entitled an act to prohibit  
the sale of spirituous or malt liquors in beat four (4) in  
Tallapoosa county, approved February 8th, 1881,

Temperance ;

By Mr. Willett—

H. 634. For the relief of Jefferson D. Burgin of Pick-  
ens county,

Appropriations ;

By Mr. Kyle—

H. 635. To prevent sacrifice of deceased persons property at forced sale,

Judiciary;

By Mr. Clark—

H. 636. To amend sections 3, 5, 6, 7, 10, 11, 12, 15, 17, 18, 24, 27, 35, 37, 38, 42, 52, 53, 54, 55, 57, 59, 60, 61, 62, 65, 66, 71, 73, 77, 78, 79, 81, 82, 83, 84, 85 and 96 of an act to establish a new charter for the city of Montgomery, approved February 21st, 1893,

Corporations;

By Mr. Fuller—

H. 637. To enlarge the jurisdiction of justices of the peace and notaries public and ex-officio justices of the peace in Bibb county,

Judiciary ;

By Mr. Sanford (by request)—

H. 638. To prevent butcher pens on or along public roads within three miles of the corporate limits of the city of Montgomery,

Public health.

#### RESOLUTIONS.

Resolutions were offered as follows :

By Mr. Willett—

Joint resolution recommending Hon. H. R. Shorter's appointment as a member of the interstate commerce commission,

Which was referred to the committee on rules ;

By Mr. Deans—

Joint resolution raising a joint committee to investigate and report to the two houses the amount of money belonging to the state expended in the inauguration ceremonies, for what purpose used and by what authority,

Which was referred to the committee on rules, and upon a favorable report was adopted ;

And the speaker appointed as the committee on the part of the house,

Messrs. Meador, Knight and Deans.

The resolution offered by Mr. Kelly raising a joint committee of three from the house and three from the senate to sit for ten days during the recess immediately

preceding the reassembling of the general assembly, to consider and report proper legislation on the subject of the assessment of property for taxation,

Was called up and adopted.

And the speaker appointed as the committee from the house, Messrs. Kelly, Meador and John.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has adopted a joint resolution herewith sent,

Recommending Hon. H. R. Shorter's appointment as a member of the Inter-state Commerce Commission.

W. L. CLAY,  
Secretary.

On motion the rules were suspended and the above resolution was concurred in.

#### BILLS ON SECOND READING.

The chairmen of the several committees, reported favorably on the following bills :

H. 513. For the better protection of persons assured in Fire Insurance Companies. (With Amendment) ;

H. 346. To establish a court of county revenues for Chilton county ;

H. 544. To regulate the granting of licenses to retail vinous or spirituous liquors in the Town of Louisville, Barbour county;

H . 498. To regulate the granting of license to retail vinous, spirituous or malt liquors in Crenshaw county ;

H. 547. To provide for the better assessment and collection of State and county taxes, on notes, mortgages, liens or other evidences of indebtedness ;

H. 483. To amend section four hundred and ninty (490) of the code of Alabama, relating to what shall be noted, by tax assessors, on list and poll tax book ;

H. 548. To amend section 533 of the code ;

H. 576. To levy a tax, State and county, on all peddlers of road-carts, sewing machines, cooking stoves, watches, bed-quilts, clocks, balmorals in the counties of Wilcox and Hale;

H.549. To amend an act entitled an act to amends section 535 of the code ;

H. 406. To amend sub-division 29 of section 629 of the code;

H. 462. To provide for holding circuit and chancery courts, when the judges or chancellors thereof fail to attend regular terms, by a supernumerary judge, and to prescribe his powers, duties and pay ;

H. 580. To incorporate the Mutual Fire Insurance Association of Montgomery, and to define its rights, powers and franchises ;

s. 148. To authorize the mayor and councilmen of the town of Evergreen, to issue bonds of said town for an amount not exceeding twelve thousand dollars, for the purpose of putting in a system of waterworks and making other permanent improvements in said town ;

s. 67. To incorporate the Alumni Association of the Agricultural and Mechanical College of Alabama, and for other purposes pertaining to said association;

s. 163. To amend an act, approved February 3rd, 1891, entitled an act to amend an- act entitled an act to incorporate the city of Fort Payne, DeKalb county, approved February 28th, 1889 ;

s. 200½. Joint resolution investing the governor with plenary power to dispose of the State convicts, as to him seems best and most expedient until the enactment of a law thereon.

The above and foregoing bills, were severally read a second time, and placed on the calendar.

H. 547. Was returned and referred to the judiciary committee.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

The committee on engrossed bills report the following bills correctly engrossed :

Nos. 73, 158, 60, 138, 370, 535, 266, 268, 289, 328, 334,392,434,439,474,497,521.

CHAS A. WHITTEN,  
Chairman.

#### BILLS ON THIRD READING.

H. 292. To appropriate the sum of thirty-three dollars

to pay J. R. Stegall for boarding state witnesses in the impeachment trial of John B. Tally.

The following amendment was adopted :

Amend the title of the bill so as to make it read as follows :

To appropriate the sum of five hundred and thirty-nine and 22-100 dollars to pay the expenses of the supreme court judges and of the witnesses for the state in the impeachment proceedings against John B. Tally.

An amendment was adopted as section 2 and the bill;

Was read a third time, at length, and passed—yeas 54, nays 5.

Yeas:

Messrs. Speaker, Barren, Beeson, Brown of Russell, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Fielding, Fleming, Fletcher, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Jackson, John, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Meadows, Mahan, Mixon, McCorvey, McQueen, O'Brien, Patton, Rabb, Rand, Reaves, Robinson, Rogers, Rowe, Scarborough, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Whitten, Willett, Williams of Bullock—54.

Nays:

Messrs. Beasley, Fuller, Hearn, Killebrew and Robins—5.

Mr. Cook of Wilcox, called up

S. J. R. 33. Joint resolution proposing amendment to section 2 of article II (2), of the constitution of the state of Alabama.

Mr. Mayfield moved to table the bill. Lost.

Mr. Maples moved for the previous question, which motion prevailed, and the bill was read a third time, at length, and lost—yeas 48, nays 42.

Yeas :

Messrs. Speaker, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Cook of Wilcox, Curtis, Dale, Deans, Fielding, Fleming, Forman, Fulton, Gains, Gewin, Graham, Grant, John, Kelly, Kennedy, Kyle, Lipscomb, Maples, Meador, Meadows, Mahan, Rabb, Rand, Reaves, Roach, Robinson, Rogers, Rowe, Sanford, Screws, Seale, Smith of Autauga, Smith of



Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Whitten, Williams of Bullock, Williams of Henry—48.

Nays :

Messrs. Banks, Barren, Beasley, Bellinger, Burks, Camp, Cole, Cook of Talladega, Davis, Ellis, Ewing, Fletcher, Franklin, Fuller, Gibbons, Graves, Harris, Hearn, Hill, Jackson, Jinks, Killebrew, Knight, Langley, Manning, Mastin, Mayfield, Mills, Mixon, Montgomery, McQueen, O'Brien, Ott, Patton, Perry, Robbins, Routon, Savage, Scarborough, Wheeless, Willett—42.

Mr. Mayfield moved to reconsider the vote by which the bill was lost.

Mr. Willett moved to table the motion. Lost.

Mr. Willett moved to indefinitely postpone the consideration of the motion to reconsider.

On motion of Mr. Forman the latter motion was tabled.

On motion of Mr. Knight the further consideration of the motion to reconsider was postponed till to-morrow after the disposition of the journal.

On motion of Mr. Fletcher the hour for adjournment to-day was fixed at 1:30 o'clock, and the hour for reassembling at 3:30 o'clock.

H. 383. To authorize the mayor and aldermen of the town of Gurley, in the county of Madison, state of Alabama, to issue bonds of said town for the purpose of providing said town with water,

Was read a third time, at length, and passed—yeas 55, nays 0.

Yeas :

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Brown of Russell, Burks, Calhoun, Camp, Cole, Curtis, Dale, Davis, Ellis, Ewing, Fleming, Fletcher, Franklin, Fulton, Gibbons, Graves, Jackson, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Mayfield, Meadows, Mahan, Mills, Mixon, McClusky, McCorvey, O'Brien, Ott, Patton, Rand, Reaves, Roach, Robinson, Rogers, Sanford, Savage, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Wheeless, Whitten, Willett, Williams of Bullock, Williams of Henry—55.

H. 269. To amend section 4169 of the Code of Alabama,

Was read a third time, at length, and passed—yeas 59, nays 3.

Yeas :

Messrs. Barron, Beasley, Bellinger, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Fleming, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jackson, Jinks, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipgcomb, Maples, Mastin, Mayfield, Meadows, Montgomery, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rand, Reaves, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Wheelless, Williams of Bullock—59.

Nays: Messrs. Davis, Ewing and Fletcher—3.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended as therein shown, and as amended has concurred in the house joint resolution :

Raising a joint committee to sit during recess of the general assembly to consider and report legislation on the subject of the assessment of property for taxation in this state.

Committee on part of the senate: Messrs. Milner, McElderry, and Nolan, and has concurred in the house amendment to the senate bill,

s. 31. To amend an act entitled an act to regulate the trial of misdemeanors in Bibb county, approved Feb. 21, 1893.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The house concurred in the senate amendment to house joint resolution raising a joint committee to sit during recess, and consider and report legislation on the subject of assessment of property for taxation in this state.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has originated and passed the following bills:

s. 178. To confirm the incorporation of the Manassas Club of Mobile, Alabama, and to amend its charter ;

s. 37. To dispose of lands which have been, or which may hereafter be, sold for taxes and bid in for the state, and which have not been redeemed or purchased from the state ;

s. 180. To amend section 1 of "an act to regulate the taxation of insurance companies," approved February 20, 1893;

s. 164. To incorporate Spring Lake College, Springville, St. Clair county, Ala.;

(Amendment),

s. 183. To require all foreign corporations now engaged in, or hereafter engaging in business in this state to pay a fee or license for the use of the state, for the privilege of engaging in such business ;

And was passed

H. 293. To appropriate the sum of three hundred and fifty dollars to pay Richard W. Walker for professional services rendered the state under contract with the governor, in the impeachment trial of John B. Tally,

And has amended as therein shown and as amended, has passed the house bills

H. 147. To incorporate the Polytechnic College and Ladies' Institute of Cullman, Alabama;

H. 159. To allow stock to run: at large in a part of beat five in Lee county, Alabama;

And has passed the house bills

H. 186. To incorporate Pisgah Male and Female Academy ;

H. 174. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages, within the limits of Cleveland School District;

H. 79. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters at or within two miles of the Sulligent Academy, in the town of Sulligent, county of Lamar;

H. 141. To prohibit the selling, giving away, or disposing of spirituous, vinous or malt liquors, or of alcoholic bitters, cordials or beverages of any kind, in St. Clair county:

H. 487. To levy taxes for the use of the state ;

H. 142. To authorize the commissioners of roads and revenues of Tuscaloosa county to levy and collect a special tax for the purpose of erecting and maintaining public buildings and bridges for said county;

And has concurred in the house joint resolution, requesting the speaker of the house and the president of the senate to erase their signatures from the house bill No. 21, for the purpose of amendment, and herewith transmit to the house the said bill, H. 21;

And has amended as therein shown and, as amended, has passed the house bill

H . 5. To repeal section four of an act to regulate and prescribe the manner of electing county commissioners of Pike, Bullock, Washington, Baldwin, Butler, Choc-taw, Fayette, Shelby, DeKalb and Pickens counties, approved Jan. 30, 1793;

And insists on its amendment to the house bill

H. 82. To establish a board of revenue for Lowndes county, and define the powers and duties of said board of revenue;

And has concurred in the reports of the conference committees on the disagreement of the two houses on the house bills

H. 290. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the state, for interest on the public debt, and for public schools;

H. 110. To repeal an act entitled an act to regulate the issue of garnishments and the proceedings thereon in the counties of Jefferson, Dallas, Calhoun, Escambia and Cleburne, approved February, 21, 1893,

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills, just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees, as follows :

Ways and means, s. 37, 180 ;

Corporations, s. 183 ;

Education, s. 164;

Mobile delegation, s. 178.

The house concurred in the senate amendments to H. 147. To incorporate the Polytechnic College and Ladies Institute of Cullman, Alabama.

Yeas 53, nays 0.

Yeas :

Messrs. Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Ford, Forman, Fuller, Fulton, Gains, Gewin, Gibbons, Graves, Harris, Hearn, Jackson, Jinks, John, Kennedy, Knight, Kyle, Langley, Maples, Mixon, Montgomery, McCorvey, Ott, Perry, Prowell, Rand, Reaves, Roach, Robinson, Rowe, Sanford, Savage, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry—58.

And has concurred in the senate amendments to H. 159. To allow stock to run at large in a part of beat 5 in Lee county, Alabama.

Yeas 70, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewin, Fielding, Fletcher, Ford Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Harris, Hearn, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Mayfield, Meadows, Mahan, Mixon, Ott, Patton, Perry, Rabb, Rand, Reaves, Roach, Robinson, Rowe, Routon, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Wheelless, Willett, Williams of Bullock, Williams of Henry—70.

And has concurred in the senate amendment to H. 5, Whose title is set out in the foregoing senate message.

Yeas 52, nays 3.

Yeas:

Messrs. Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Russell, Burks, Calhoun, Camp, Curtis, Dale, Davis, Fleming, Fletcher, Ford, Forman, Fulton, Gibbons, Graham, Grant, Graves, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mahan, Mixon, McCorvey, O'Brien, Ott, Perry, Rabb, Rand, Robinson, Rowe, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Williams of Bullock, Williams of Henry—52.

Nays:

Messrs. Franklin, Fuller and Hearn—3.

H. 82. The house asked for a committee of conference on the disagreement of the two houses on the senate amendment to H. 82;

And the speaker appointed as the committee on the part of the house, Messrs. Whitten, Rogers and John.

H. 21. The speaker of the house erased his signature from house bill 21.

H. 230. To prohibit the sale of patent and proprietary medicines not having a formula of the same labeled or printed upon the bottle or package containing such medicine.

On motion of Mr. Meador the bill and amendment were tabled.

H. 183. To amend section 968 of the code of Alabama so as to change the date from the last Monday in October to second Monday in September.

Was read a third time, at length, and passed—yeas 66, nays 2.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Meadows, Mahan, Milts, Mixon, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Roach, Robinson, Rogers, Rowe, Sanford, Savage, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile,

23 h

Taylor, Ward, Wheelless, Whitten, Williams of Bullock  
--66.

Nays:

Messrs. Tuck and Willett—2.

H. 232. To incorporate the Huntsville District High School in New Market, Madison county, Alabama.

The substitute offered by the committee was adopted and the bill

Was read a third time at length and passed—yeas 54, nays 0,

Yeas :

Messrs. Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Dale, Davis, Ellis, Ewing, Fleming, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jackson, Jinks, Kelly, Kennedy, Killebrew Knight, Lipscomb, Manning, Maples, Mastin, Meadows, Montgomery, McQueen, O'Brien, Ott, Patton, Robinson, Rogers, Rowe, Routon, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry—54.

H. 229. To prohibit the playing or engaging in games of any pool, billiards, dominos or any other game of chance or amusement within any building or within one hundred feet of any place where spirits, malt or vinous liquors, or intoxicating bitters or any other intoxicating beverages or drink is sold, given away or otherwise disposed of.

Mr. Sanford moved to table the bill. Lost.

Mr. Hill moved to reconsider the vote by which the bill was ordered to a third reading.

Mr. Whitten moved to table Mr. Hill's motion. The yeas and nays were demanded and the roll was being called when the hour of 1:30 o'clock arrived and the house stood adjourned till 3 :30 o'clock to-day.

#### AFTERNOON SESSION.

The house met pursuant to adjournment.

A quorum was present.

## RESOLUTION.

Mr. Calhoun offered the following:

Resolved by the house the senate concurring, that after the hour of 4 o'clock p. m. arrives on Friday, December 14th, no bills shall be considered or passed by either branch of the general assembly, and when the hour of 6 o'clock arrives on said day each branch of the general assembly shall adjourn until 10 o'clock a. m. January 22d, 1895,

Which was referred to the committee on rules.

## BILLS ON THIRD READING.

On a continuation of the roll call bills were- called up and disposed of as follows :

By Mr. Knight—

s. 4. To amend section nineteen of an act entitled an act to incorporate the Mobile and West Alabama Railroad Company, and to expedite the construction of said railroad, approved February 11th, 1893,

Was read a third time at length and passed—yeas 60, nays 1.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cole, Curtis, Dale, Fielding, Fleming, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Graves, Harris, Hearn, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Meadows, Mahan, Mills, Mixon, McCorvey, McQueen, O'Brien, Perry, Rand, Reaves, Roach, Robbins, Rogers, Savage, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Wheeless, Williams of Bullock, Williams of Henry—60.

Nay: Mr. Burks,

By Mr. Kyle—

H . 399. To authorize the mayor and aldermen of the town of New Decatur, in Morgan county, Alabama, to divide the town of New Decatur into wards,

Was read a third time at length, and passed—yeas 64, nays 0.



Yeas:

Messrs. Speaker, Banks, Barron, Boykin, Brown of Con-  
 ecuh, Brown of Russell, Calhoun, Cole, Cook of Wilcox,  
 Curtis, Dale, Deans, Ewing, Fielding, Fleming, Fletcher,  
 Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin,  
 Gibbons, Graham, Grant, Graves, Harris, Hearn, Jack-  
 son, Jinks, John, Kelly, Kennedy, Killebrew, Knight,  
 Kyle, Langley, Lipscomb, Manning, Mastin, Meadows,  
 Mahan, Mixon, McCorvey, McQueen, Ott, Perry, Rand,  
 Roach, Robbing, Rogers, Rowe, Routon, Savage, Scar-  
 borough, Smith of Autauga, Smith of Butler, Smith of  
 Greene, Smith of Mobile, Turner, Wheelless, Whitten,  
 Williams of Bullock—64.

By Mr. Langley—

H. 505. To prohibit the sale, or otherwise disposing  
 of any alcoholic, vinous or malt liquors, or other intoxi-  
 cating drinks or beverages, within three miles of Zion's  
 Hill Missionary Baptist Church, in beat 17, Tallapoosa  
 county,

Was read a third time at length and passed—yeas 70,  
 nays 0.

Yeas :

Messrs. Banks, Barron, Beasley, Beeson, Bellinger,  
 Boykin, Brown of Conecuh, Brown of Russell, Burks,  
 Calhoun, Camp, Cook of Talladega, Cook of Wilcox,  
 Dale, Davis, Deans, Ellis, Ewing, Fleming, Fletcher,  
 Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin,  
 Gibbons, Graham, Grant, Graves, Harris, Hearn, Jinks,  
 John, Kelly, Kennedy, Killebrew, Knight, Langley,  
 Lipscomb, Manning, Maples, Mastin, Meadows, Mahan,  
 Mills, Mixon, McCorvey, McQueen, O'Brien, Ott, Perry,  
 Rand, Roach, Robbins, Rogers, Rowe, Routon, Savage,  
 Scarborough, Smith of Autauga, Smith of Butler, Smith  
 of Greene, Smith of Mobile, Taylor, Ward, Wheelless,  
 Whitten, Williams of Bullock—70.

By Mr. Lipscomb—

H. 189. To define the corporate limits of the city of  
 Birmingham in the state of Alabama

The substitute offered by the committee was adopted,  
 And the bill,

Was read a third time, at length, and passed—yeas-  
 64; nays 0.

Yeas:

Messrs. Banks, Barron, Beasley Beeson, Bellinger,

Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, E wing, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Jackson, Jinks, John, Kennedy, Killebrew, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mahan, Mills, Mixon, McCorvey, McQueen, O'Brien, Ott, Perry, Rand, Reaves, Roach, Rogers, Rowe, Savage, Scarborough, Smith, of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Turner, Ward, Wheelless, Whitten, Williams of Bullock—64.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended as therein shown and, as amended, has passed the house bills :

H. 21. To incorporate the Bailey Springs University for the higher education of women ;

H. 9. To give the owners of lands or their assignees a lien for the stipulated price, or value, commonly known as stumpage, of timber sold from said lands, and to provide for the enforcement thereof ;

H. 87. To regulate exceptions to the giving or refusal of charges asked in writing ;

And has passed the house bills,

H. 30. To amend an act entitled an act to provide for publication and proceedings against defendants whose names are unknown in proceedings for partition, approved February 18, 1893;

H. 32. To amend section 4022 of the code of Alabama;

H. 59. To amend section 3471 and 3472 of the code, and rule 52 of chancery practice;

H. 195. For the relief of Harry T. Smith, an attorney of Mobile county, to compensate him for special services rendered to the state ;

And has originated and passed the following bills :

s. 186. To authorize a grantee of real or personal property held adversely to sue therefor in his own name;

s. 190. To amend section 2804 of the code.

W. L. CLAY,  
Secretary.

## SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to committees, as follows :

Judiciary, s. 186, 190.

H. 9. The house non-concurred in the senate amendment to H. 9, and asked for a committee of conference, and the speaker appointed as the committee from the house, Messrs. Grant and John.

The house concurred in the senate amendment to

H. 21. To incorporate the Bailey Springs University for the higher education of women;

Yeas 66, nays 0.

Yeas:

Messrs. Barren, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Cole, coleman, Curtis, Dale, Davis, Deans, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gibbons, Grant, Harris, Hearn, Hill, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Montgomery, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rand, Roach, Robinson, Rogers, Rowe, Scarborough, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—66.

The house concurred in the senate amendments to

H. 87. To regulate exceptions to the giving or refusal of charges asked in writing;

Yeas 63, nays 0.

Yeas :

Messrs. Barron, Beeson, Brown of Conecuh, Brown of Russell, Calhoun, Dale, Davis, Deans, Ewing, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Grant, Graves, Harris, Hearn, Hill, Jinks, Kelly, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Mills, Mixon, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—63.

By Mr. Manning—

s. 17. To amend sections 5, 6, 10, 11, 14, 26, 28 and 29 of an act entitled an act to provide for the more efficient working of the public roads, in Talladega county, approved December 9, 1886, and to amend section 4 of an act entitled an act to amend sections 20,21, 22 and 26 of an act entitled an act to provide for the more efficient working of the public roads in Talladega county, approved February 13, 1889 ;

The amendments offered by the committee were adopted and the bill,

Was read a third time, at length, and passed—yeas 60, nays 0.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Cook of Talladega, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fletcher, Ford, Forman, Franklin, Fulton, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jackson, Jinks, Kelly, Killebrew, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Meadows, Mahan, Mills, Mixon, McCorvey, McQueen, Patton, Perry, Prowell, Rand, Roach, Robinson, Rogers, Rowe, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Taylor, Tuck, Wheelless, Willett—60.

By Mr. Maples—

s. 70. To provide for the establishing of township, section, or other subdivision of lands where the original survey marks, monuments, witness-trees, etc., have been obliterated, in the county of Jackson,

Was read a third time, at length, and passed—yeas 69, nays 0.

Yeas :

Messrs. Barron, Beasley, Beeson, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Hill, Jackson, Jinks, John, Kelly, Killebrew, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Meadows, Mahan, Mills, Mixon, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Scarborough, Smith of Autauga, Smith of But-

ler, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—69.

By Mr. Mastin—

H. 543. To authorize the court of county commissioners of Barbour county to issue bonds of said county to an amount not exceeding ninety thousand dollars for the purpose of taking up, cancelling and retiring the present outstanding bonded indebtedness of said county,

Was read a third time, at length, and passed—yeas 72, nays 0.

Yeas :

Messrs. Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, Jackson, Jinks, John, Kelly, Killebrew, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Meadows, Mahan, Mills, Mixon, McCorvey, McQueen, Ott, Patton, Perry, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Routon, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry—72.

By Mayfield—

H. 546. To repeal sections ten, eleven, twelve and thirteen of an act entitled an act to prevent the running at large of stock in certain portions of Elmore county, approved February 18th, 1891,

Was read a third time at length, and passed—yeas 60, nays 3.

Yeas :

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Boykin, Burks, Calhoun, Camp, Cook of Talladega, Curtis, Dale, Davis, Deans, Ewing, Fleming, Fletcher, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Jackson, Jinks, John, Kelly, Killebrew, Kyle, Langley, Lipscomb, Manning, Maples, Mayfield, Meador, Meadows, Mahan, Mixon, McCorvey, McQueen, O'Brien, Ott, Patton, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Scarborough, Smith of Autauga, Smith of But-

ler, Smith of Greene, Smith of Mobile, Summers, Ward, Vheeless. Whitten, Williams of Bullock, Williams of Henry--60.

Nays :

Messrs. Ellis, Mills, Savage—3.

The bill was ordered to the senate without engrossment.

By Mr. Meadows—

H. 506. To repeal an act entitled an act to better provide for the establishment and working of the public roads in Tallapoosa and Randolph counties, approved February 21, 1893,

was read a third time at length, and passed—yeas 69, nays 0.

Yeas :

Messrs. Banks, Barron, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Ford, Forman, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jackson, Jinks, John, Kelly, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Mixon, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rand, Reaves, Roach, Rob-Inn's, Robinson, Rowe, Routon, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Williams of Bullock, Williams of Henry—69.

By Mr. Mahan—

H. 534. To incorporate Morgan county College, in Morgan county, Alabama,

Was read a third time at length and passed—yeas 59, nays 0.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Brown of Conecuh, Burks, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ellis, Ewing, Fleming, Fletcher, Formau, Franklin Fulton, Gains, Gibbons, Graves, Harris, Hearn, Jackson, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Meador, Meadows, Mahan, Mills, Mixon, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Reaves, Roach, Robinson, Rogers, Rowe, Savage, Scarborough, Smith of

Autauga, Smith of Butler, Smith of Mobile, Tuck, Wheelless, Whitten, Williams, of Bullock, Williams of Henry—59.

By Mr. Meador—

s. 26. To establish the Benton School District in Lowndes county,

Was read a third time at length, and passed—yeas 60, nays 0.

Yeas :

Messrs. Barren, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Ellis, Ewing, Fleming, Fletcher, Forman, Fulton, Gains, Gibbons, Graves, Jackson, Jinks, John, Kelly, Killebrew, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, McCorvey, O'Brien, Patton, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—60.

By Mr. Mills—

s. 86. To regulate the payment of claims against the fine and forfeiture fund of Geneva county,

Was read a third time, at length, and passed—yeas 64, nays 0.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Cook of Talladega, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Harris, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mastin, Meador, Meadows, Mahan, Mills, Mixon, McCorvey, McQueen, O'Brien, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Savage, Scarborough, Smith of Autauga, Smith of Butler, Tuck, Ward, Wheelless, Whitten, Williams of Bullock—64.

On motion of Mr. Mills. H. 254 was indefinitely postponed.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bills, your signature thereto is requested :

s. 31. To amend an act entitled, an act to regulate the trial of misdemeanors in Bibb county, approved February 21st, 1893;

s. 41. To establish a State board of embalming to provide for the better protection of life and health, to prevent the spread of contagious diseases, and to regulate the practice of embalming and the care and disposition of the dead.

W. L. CLAY,  
Secretary.

## SIGNING BILLS.

The speaker of the house in the presence of the house immediately after their titles had been publicly read by the clerk signed the bills whose titles are set out in the foregoing senate message.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

## HOUSE OF REPRESENTATIVES.

Mr. Speaker:

The committee on enrolled bills report the following bill correctly enrolled :

H. 410. To provide for holding the circuit court of Henry county at Dothan, and to prescribe the jurisdiction thereof and regulate the proceedings therein.

J. H. MONTGOMERY,  
Chairman.

## SIGNING BILLS.

The speaker of the house in the presence of the house immediately after its title had been publicly read by the clerk, signed the bill whose title is set forth in the above report of the committee on enrolled bills.

By Mr. Mixon—

H . 294. To amend an act for the preservation of lands



and plantations in Bullock county from depredations by stock, approved Feb. 11, 1893.

Mr. Jinks offered an amendment which was adopted and the bill was read a third time at length and passed—yeas 72, nays 0.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Curtis, Dale, Davis, Deans, Ellis, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gibbons, Grant, Graves, Harris, Hearn, Hill, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Langley, Lipscomb, Maples, Mastin, Mills, Mixon, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Reaves, Roach, Robbins, Rogers, Rowe, Routon, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry—72.

By Mr. Montgomery—

H. 187. To confirm the charter of the Bessemer Building and Loan Association, to provide for the increase of the capital stock, to authorize it to sell surplus money at private sale, to invest unsold money, to buy, sell, lease or otherwise dispose of real estate, to erect buildings or improvements, to borrow money and to provide for the increase of the capital stock and to extend the time within which said association shall continue to exist as a corporation,

Was read a third time, at length, and passed—yeas 69, nays 0.

Yeas :

Messrs. Barren, Beasley, Beeson, Bellinger, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ellis, Ewing, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Graham, Grant, Graves, Harris, Hill, Jackson, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Meador, Meadows, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Reaves, Roach, Robbins, Robinson, Rogers, Routon, Sanford, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers,

Taylor, Tuck, Turner, Whitten, Willett, Williams of Bullock, Williams of Henry—69.

MESSAGE FROM THE SENATE.

Mr Speaker:

The senate has amended as therein shown, and as-amended, has passed the following house bill:

H. 280. To prohibit the selling, bartering, exchanging or giving away of spirituous, vinous or malt liquors, intoxicating bitters or beverages within four miles of the Methodist church at Fairford in Washington county.

W. L. CLAY,  
Secretary.

SENATE MESSAGE.

Mr. Turner moved to non-concur in the senate amendment to H.280.

Mr. Robinson moved to table Mr. Turner's motion.

Lost—yeas 20, nays 37.

Yeas :

Messrs. Speaker, Calhoun, Camp, Davis, Deans, Graham, Grant, Knight, Kyle, Manning, Maples, Meadows, Mills, McCorvey, McQueen, O'Brien, Ott, Patton, Rand, Robinson, Smith of Mobile, Whitten—20.

Nays :

Messrs. Banks, Barren, Beasley, Beeson, Boykin, Brown of Conecuch, Brown of Russell, Cole, Curtis, Dale, Ellis, Ewing, Fielding, Fleming, Ford, Forman, Fulton, Gains, Gewin, Gibbons, Graves, Harris, Jinks, Kennedy, Langley, Meador, Mahan, Mixon, Perry, Rabb, Rand, Roach, Tuck, Turner, Wheelless, Williams of Bullock—37.

Mr. Turner's motion prevailed and the house non-concurred and asked for a committee of conference.

Committee on the part of the house : Messrs. Turner, Robinson and Kyle.

By Mr. Moore—

s. 125. To amend section 2 of an act entitled "an act to amend- sections one and twelve of an act entitled an act to regulate the taking of oysters from the public reefs in the state for sale or planting, approved December 10,

1892 ; and to repeal an act entitled an act to regulate the planting and taking of oysters in the waters of this state, approved February 18, 1891," which act hereby amended was approved February 14, 1893.

Mr. Robinson offered an amendment which was adopted, and the bill was read a third time, at length, and passed—yeas 60, nays 1.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ellis, Ewing, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Grant, Jackson, Jinks, Kelly, Kyle, Langley, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, McCorvey, O'Brien, Ott, Patton, Rabb, Rand, Roach, Robinson, Rogers, Rowe, Scarborough, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Taylor, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—60.

Nay: Mr. Knight.

By Mr. McCorvey—

H. 404. To establish a separate school district in Monroe county, Alabama, and fix the boundaries of same,

Was read a third time at length and passed—yeas 63, nays 0.

Yeas:

Messrs. Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Camp, Cole, Coleman, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Graves, Harris, Hearn, Jackson, Kelly, Kennedy, Kyle, Langley, Maples, Mayfield, Meador, Meadows, Mahan, Mixon, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rabb, Rand, Roach, Robbins, Robinson, Rogers, Routon, Scarborough, Seale, Smith of Autaga, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Wheelless, Whitten, Willett, Williams of Bullock—63.

On motion the house adjourned till 10 a. m. to-morrow:.

## TWENTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,  
December 13, 1894.

The house met pursuant to adjournment.

Prayer by the Key. Mr. Rowe of the house.

A quorum was present.

The committee on revision of the journal reported the journal of yesterday correct.

## LEAVE OF ABSENCE

Was granted to Mr. McClusky for to-day and to-morrow, and to Mr. Rabb for to-morrow.

## UNFINISHED BUSINESS.

The motion to reconsider the vote by which s. 33. Joint resolution proposing amendment to section 2 of article 2 of the constitution of the state of Alabama,

Was lost on yesterday, was taken up.

Mr. Williams of Henry moved the previous question which was ordered. The motion to reconsider prevailed and the bill was lost—yeas 56, nays 35.

Yeas:

Messrs. Speaker, Beeson, Brown of Russell, Calhoun, Cook of Wilcox, Curtis, Dale, Deans, Fleming, Forman, Fulton, Gains, Gewin, Graham, Grant, Graves, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Lipscomb, Manning, Maples, Mastin, Meador, Meadows, Mahan, Mixon, McCorvey, O'Brien, Prowell, Rabb, Rand, Roach, Robinson, Rogers, Rowe, Sanford, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Whitten, Williams of Bullock, Williams of Henry—56.

Nays :

Messrs. Banks, Barren, Beasley, Boykin, Brown of Conecuh, Burks, Camp, Cole, Cook of Talladega, Davis, Ellis, Ewing, Fielding, Fletcher, Ford, Franklin, Fuller, Gibbons, Harris, Hearn, Hill, Jackson, Jinks, Langley,

Mayfield, Mills, Montgomery, McQueen, Patton, Perry, Reaves, Robbins, Routon, Savage, Wheelless—35.

The motion to table Mr. Hill's motion to reconsider the vote by which

H. 229. To prohibit the engaging in games of pool, billiards, dominos, or any other game of chance or amusement within any building or within one hundred feet of any place where spirituous, malt, or vinous liquors or intoxicating bitters, or any other intoxicating beverage or drink is sold, given away or otherwise disposed of.

Was taken up.

Mr. Sanford moved the previous question, which was ordered, and the motion to table was lost—yeas 20, nays 67,

Yeas:

Messrs. Banks, Beasley, Calhoun, Cole, Fuller, Grant, Graves, Harris, Hearn, John, Kyle, Langley, Mahan, Mills, Mixon, Rabb, Rowe, Savage, Ward, Whitten—20.

Nays :

Messrs. Speaker, Barren, Beeson, Boykin, Brown of Russell, Burks, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deans, Ellis, Ewing, Fielding, Fletcher, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Graham, Hill, Jackson, Jinks, Kennedy, Killbrew, Kyle, Lipscomb, Manning, Maples, Mastin, Mayfield, Meador, Meadows, Montgomery, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Reaves, Robbing, Robinson, Rogers, Routon, Sanford, Scarborough, Screws, Scale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Wheelless, Willett, Williams of Bullock.—67.

Mr. Willett moved to table the bill and the speaker, Mr. Fletcher, in the chair, upon taking the vote announced that the bill was tabled.

Mr. Rabb called for a division, but the speaker held that the call came too late.

From this ruling of the chair, Mr. Whitten appealed, and the house sustained the ruling of the chair.

## GOVERNOR'S MESSAGE.

## OFFICE OF THE GOVERNOR.

December 13, 1894,

Mr. Speaker:

I have the honor to inform you that the following bills, which originated in the house, have been approved :

Nos. 104,108, 80, 109, 112,134, 140,146,186; 241, 487,119,130, 79,410.

Very respectfully,  
HARVEY E. JONES,  
Private Secty.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

## HOUSE OF REPRESENTATIVES

Mr. Speaker:

The committee on enrolled bills report the following-bills correct enrolled :

H . 5. To repeal section four of an act to regulate and prescribe the manner of electing county commissioners of Pike, Bullock, Washington, Baldwin, Butler, Choc-taw, Fayette, Shelby, DeKalb and Pickens counties, approved January 30,1893, and to prescribe the manner of electing the commissioners in said counties;

H. 18. To amend section 7 of an act, approved 28th February, 1889, entitled an act to establish a charter for the town of Avondale, Jefferson county;

H. 21. To incorporate the Baily Springs University for the higher education of women ;

H. 30. To amend an act entitled an act to provide for publication and proceedings against defendants whose names are unknown in proceedings for partition, approved February 18, 1893 ;

H. 32. To amend section 4022 of the code of Alabama;

H. 59. To amend section 3471 and 3472 of the code, and rule 52 of chancery practice;

H. 75. To define the territorial jurisdiction of justices

of the peace and notaries public ex-officio justices of the peace of the several precincts in Jefferson county, and the notaries public ex-officio justices of the peace appointed for the several wards of the city of Birmingham;

H. 87. To regulate exceptions to the giving or refusal of charges asked in writing, and to give effect thereto ;

H. 110. To repeal an act entitled an act "to regulate the issue of garnishments and the proceedings thereon in the counties of Jefferson, Dallas, Calhoun, Escambia and Cleburne, approved February 21, 1893, so far as relates to the counties of Dallas and Escambia ;

H. 142. To authorize the commissioners of roads and revenues of Tuscaloosa county, to levy and collect a special tax for the purpose of erecting and maintaining public buildings and bridges for said county;

H. 147. To incorporate the Polytechnic College and Ladies' Institute of Cullman, Alabama;

H. 159. To allow stock to run at large in a part of beat five in Lee county, Alabama ;

H. 178. To provide for payment of claims against the fine and forfeiture fund of Clarke county ;

H. 195. For the relief of Harry T. Smith, an attorney of Mobile county, to compensate him for special services rendered to the state ;

H. 196. For the relief of Neil Salter, and the heirs of David Salter, of Monroe county, Alabama, and to authorize the governor to issue a patent to certain lands to said parties;

H. 193. To divide the county of Madison into four commissioners districts, and to prescribe to the term of office of the members of the commissioners court;

H. 205. To allow bonded constables of Tallapoosa county the same fees as the sheriff in certain cases ;

H. 221. To establish a separate school district to be known as Reynolds School District, in Henry county;

H. 227. To repeal an act entitled an act to make fowl-wires a lawful fence in a certain portion of Lawrence county, and to provide for the building and keeping up of a lawful fence along the line between townships 4 and 5;

H. 249. For the relief of F. A. Gamble, ex-probate judge of Walker county, Alabama ;

H. 293. To appropriate the sum of three hundred and

fifty dollars to pay Richard W. Walker for professional services rendered the state under contract with the governor, in the impeachment trial of John B. Tally.

H. 337. To repeal an act entitled "an act to regulate trials by juries in the county court of Clarke county," approved February 16th, 1891;

H. 385. To legalize certain applications from the counties of Butler, Chilton, Cleburne, Coosa, Dale, Elmore, Greene, Lee, Randolph, Sumter, Shelby, Talladega, Tallapoosa, Tuscaloosa, Walker and Wilcox, for relief under the provisions of "an act for the relief of needy Confederate soldiers and sailors, residents of Alabama, who from wounds or other cause, are now unable to earn a livelihood, and for the widows of such as were killed or died in said war, and have not since remarried" approved February 13, 1891.

J. H. MONTGOMERY,  
Chairman.

#### SIGNING BILLS.

The speaker of the house in the presence of the house immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set out in the foregoing report of the committee on enrolled bills.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bills, your signature thereto is requested;

s. 70. To provide for the establishing of township, section, or other subdivision corners of lands, where the original survey marks, monuments, witness trees, &c., have been obliterated in the county of Jackson ;

s. 26. To establish the Benton School District in Lowndes county;

s. 16. To regulate practice and procedure in the circuit court in Talladega county in this state ;

s. 86. To regulate the payment of claims against the fine and forfeiture fund of Geneva county ;

s. 4. To amend section nineteen (19) of an act entitled an act to incorporate the Mobile and West Alabama



Railroad Company, and to expedite the construction of said railroad approved February 11th, 1893.

W. L. CLAY,  
Secretary.

#### SIGNING BILLS.

The speaker of the house in the presence of the house immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set forth in the foregoing message from the senate.

#### INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate committees, as follows :

By Mr. Rabb—

H. 639. To establish a charter for the town of Pollard, Alabama,

Corporations;

By Mr. Banks—

H. 640. To create a separate school district in the county of Franklin, to be called Newburg Public School District and to define the boundaries thereof,

Education;

By Mr. Taylor--

H. 641. To regulate elections in the state of Alabama, Privileges and elections;

By Mr. Mills—

H. 642. To regulate the election of county commissioners in Geneva county,

Privileges and elections;

By Mr. Williams of Henry—

H. 643. To prohibit the sale or giving away of alcoholic, spirituous, vinous or malt liquors within three (3) miles of Alaga in Henry county,

Temperance ;

By Mr. O'Brien—

H. 644. To confirm the incorporation of the Phoenix Club of Birmingham, Alabama, and to enlarge the powers and capacities of said club,

Corporations;

Also,

H. 645. To amend and re-enact section 329 (234) of the code for the preservation of registration lists,

Privileges and elections;

Also,

H. 646. To require inspectors of election to post up at or near voting place a statement of the polled,

Privileges and elections;

Also,

H. 647. To amend section 355 (262) of the code, (Appointment of inspectors on morning of election.)

Privileges and elections;

Also,

H. 648. To regulate the appointment of inspectors and precinct returning officers under section 352, of the code,

Privileges and elections;

Also,

H. 649. To amend section 28 of an act to further regulate elections in the state of Alabama, approved February 21st, 1893,

Privileges and elections ;

Also,

H. 650. To amend section 13 of the act to further regulate elections in the state of Alabama, approved February 21st, 1893,

Privileges and elections;

Also,

H. 651. To amend section 6 of the act to further regulate elections in the state of Alabama,

Privileges and elections;

Also,

H. 652. To amend section 5 of the act to further regulate elections in the state of Alabama ;

Privileges and elections,

Also,

H. 653. To amend section 3 of the act to further regulate elections in the state of Alabama,

Privileges and elections;

By Mr. Wheelless—

H. 654. To provide for the registration of voters in the state of Alabama,

Privileges and elections ;

By Mr. Rowe—

H. 655. To amend section 1319 of the code. (Granting liquor license,)

Temperance;

By Mr. Camp—

H. 656. To repeal an act, approved December 13th, 1892, entitled an act to vest title to homestead and exempt property in the widow and minor children or minor-children in estates that do not exceed the amount of the exemptions,

Judiciary;

By Mr. Cook of Talladega—

H. 657. To prohibit the running of freight trains on Sunday,

Commerce and common carriers;

By Mr. Cook of Wilcox—

H. 658. To prevent all persons from hunting upon the enclosed lands of the residents of Wilcox county, except by written permission of the occupant of the enclosed premises,

Local legislation;

By Mr. Gains—

H. 659. To establish a separate school district, to be known as the Oakman School District, in Walker county,

Education;

Also,

H. 660. To incorporate the Oakman Male and Female College in Walker county, Alabama,

Education;

By Mr. Meador—

H. 661. To appropriate money to reimburse certain insurance companies for amounts illegally paid by them into the state treasury, under an act approved February 18th, 1893, entitled an act to require all corporations to pay a fee or license, for the use of the state, before commencing business in this state,

Judiciary;

By Mr. Ford—

H. 662. To establish a Separate school district, to be known as Flat Rock School District in Winston county, Alabama,

Education;

By Mr. Burks (by request)—

H. 663. To establish a separate school district to be known as Hulaco School District, in Cullman county, Alabama,

Education;

H. 582 was taken from adverse report from committee on public roads and highways and referred to a special committee consisting of the Bullock delegation.

On motion of Mr. Mayfield H. 492 was recommitted to the committee on revision of laws.

## RESOLUTIONS

Were offered as follows :

By Mr. Forman—

H. 141. Resolved by the house the senate concurring, that the speaker of the house and the president of the senate be requested to erase their signatures from H. 141,

Which was adopted.

By Mr. Calhoun—

Resolved by the house the senate concurring, that the two houses meet in joint convention in the hall of the house at 12 o'clock m. today, December 12th, for the purpose of electing a solicitor for the 11th and 12th judicial circuits,

Which was adopted.

The speaker laid before the house the following memorial which was read and referred to the committee on temperance :

To the Honorable Senate and House of Representatives of the General Assembly of the State of Alabama.

"The Alabama annual conference of the Methodist Episcopal church, south, now in session at Brewton, Escambia county, Alabama, do hereby memorialize your honorable body to refuse to repeal the act which prohibits the sale of intoxicating liquors in the town of Tuskegee, county of Macon.

In support of this memorial we would set forth ;

1. We as owners of the Alabama Conference Female College, which is situated in the town of Tuskegee, are among the largest owners of real estate in said town.

2. We are conducting an institution for the educa-

tion of girls and women in said town, and the value and usefulness of our property and school would be impaired by the repeal of said prohibiting act.

The secretary of the Alabama annual conference is hereby instructed to forward to the president of the senate and to the speaker of the house of representatives of the general assembly, copies of this memorial and request its reference to the committee on temperance in each house at the earliest possible moment."

The above is a true copy from the journal of the Alabama annual conference of the Methodist Episcopal church, south, under date of December 12th 1894.

Attest: J. M. MASON,  
Secretary.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate insists on its amendment to the house bill

H. 280. To prohibit the selling, bartering, exchanging or giving away of spirituous, vinous or malt liquors, intoxicating bitters or beverages within four miles of the Methodist church at Fairford, in Washington county;

And accedes to the request of the house for a committee of conference on the disagreement of the two houses thereon :

Committee on part of the senate, Messrs. Austin, McRae, and Walker of Marengo,

And the senate insists on its amendment to the house bill.

H. 9. To give the owners of lands or their assignees a lien for the stipulated price, or value, commonly known as stumpage, of timber sold from said lands, and to provide for the enforcement thereof;

And accedes to the request of the house for a committee of conference on the disagreement of the two houses thereon :

Committee on the part of the senate, Messrs. Almon, Kemp and Bruner.

And the senate insists on its amendment to the house bill

H. 82. To establish a board of revenue for Lowndes

county and define the power and duties of said board of revenue;

And accedes to the request of the house for a committee of conference on the disagreement of the two houses thereon;

Committee on the part of the senate, Messrs. Brewer, Milner and Bruner.

And the senate has concurred in the house amendments to the senate bill

s. 125. To amend section 2 of an act entitled "an act to amend sections one and twelve of an act entitled an act to regulate the taking of oysters from the public reefs in the state for sale, or planting, approved December 10th, 1892, and to repeal an act entitled an act to regulate the planting and taking of oysters in the waters of this state, approved February 18th, 1891, which act hereby amended was approved February 14th, 1893.

W.L. CLAY,  
Secretary.

#### BILLS ON SECOND READING.

The chairmen of the several committees reported favorably on the following bills :

s. 114. Joint resolution requesting Alabama senators and-representatives in congress to advocate the speedy repeal of the ten per cent. tax on the issues of state banks;

s. 141. To amend section 3833 of the code;

s. 136. To regulate the holding of municipal elections in the city of Tuscaloosa, Alabama ;

s. 46. For the relief of James J. S. Willis, as tax collector of Barbour county ;

s. 166. For the relief of W. W. Thompson sheriff of Macon county;

H. 575. To amend section 647 of the code ;

H. 573. To fix the time of holding the chancery courts in the counties of Monroe and Perry;

H. 596. To regulate the trial of certain misdemeanors committed in Russell county ;

H. 609. To protect bridges on the public roads in Coosa county;

H. 557. To prohibit baiting of any place or field for doves, partridges or wild turkeys in Lowndes county ;

H.545. To regulate the fine and forfeiture fund of Barbour county;

H. 530. For the preservation of game in Madison county;

H. 569. To establish a board for the reception and distribution of dead human bodies in Jefferson county, and to regulate the same ;

H. 623. To prohibit the sale or giving away of alcoholic, spirituous, vinous or malt liquors within five miles of Holland's Chapel Methodist church, and within the voting precinct of Button, all within the county of Jackson;

H. 607. To prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters, or cordials, within the limits of Oneonta school district;

H. 560. To make an appropriation to cover the deficiency for distributing the acts and journals of the general assembly of 1892-3, codes and other public documents for the year ending September 30th, 1893, and for the year ending September 30th, 1894 ;

H. 476. To amend section one of an act entitled an act for the relief of needy confederate soldiers and sailors, residents of Alabama, who from wounds or other causes are now unable to earn a livelihood, and for the widows of such as were killed or died in said war,"and have not since remarried, approved February 13, 1891;

H. 470. To make an appropriation for the expense of the encampment of the Alabama state troops for the years 1895 and 1896;

H. 350. To regulate the election of county commissioners in Lawrence, Cullman and Winston counties ;

H. 616. To incorporate the Andalusia High School at Andalusia, Alabama;

H. 610. To incorporate the Attalla Normal College ;

s. 178. To confirm the incorporation of the Manassas Club of Mobile, Alabama, and to amend its charter.

The above and foregoing bills, were severally read a second time, and placed on the calendar.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the house amendment to the senate bill,

s. 16. To regulate practice and procedure in the circuit court in Talladega county in this State,

And has originated and passed the following bill:

s. 205. To authorize the city council of Montgomery at any time to issue bonds for the purpose of funding the bonded indebtedness of the city of Montgomery;

And has concurred in the house joint resolution providing for a joint convention of the two houses at 12 o'clock M., to-day, December 13th, for the purpose of electing a solicitor for the 11th and 12th judicial circuits;

And has concurred in the house joint resolution requesting the governor to return to the house without his approval house bill No. 141 for the purpose of amending it.

W. L. CLAY, Secretary.

#### SENATE MESSAGE.

The senate bill just received, whose title is set forth in the above and foregoing message, was read once, and referred to committee, as follows :

Corporations, s. 205.

#### JOINT CONVENTION FOR THE ELECTION OF SOLICITORS FOR THE IITH AND 12TH JUDICIAL CIRCUITS OF ALABAMA.

At 12 o'clock m., by invitation from the house, the senate entered the hall of the house of representatives to elect by joint ballot solicitors from the 11th and 12th judicial circuits of Alabama, for the terms prescribed by law.

The joint convention was called to order by the president of the senate, who directed the secretary of the senate to call the roll of the senate. The following senators answered to their names, being a majority of the senate of Alabama, to-wit:

Messrs. President, Almon Austill, Bogart, Browder, Bruner, Culver, Cunningham, Darby, Day, Goodwyn, Hawkins, Hogue, Hollis, Kemp, Kilpatrick, McElderry, McRae, Milner, Moody, Nolen, Porter, Robinson, Rogers, Samford, Sayre, Tumlin, Walker of Henry, Walker of Marengo, Wharton, Williamson—31.

The speaker of the house directed the clerk of the house to call the roll of the house, when the following



members answered to their names, being a majority of the house of representatives of Alabama, to-wit:

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Camp, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Graham, Grant, Graves, Hill, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Manning, Maples, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, McCorvey, McQueen, O'Brien, Ott, Patton, PERRY, Prowell, Rand, Robinson, Rogers, Rowe, Routon, Sanford, Scarborough, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Taylor, Tuck, Ward, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry—74.

The president of the senate announced that there being a quorum of the general assembly of Alabama present, the convention was ready to proceed with the election of solicitors as aforesaid and that nominations were in order.

Mr. Almon nominated A. H. Carmichael of Colbert county for solicitor of the eleventh judicial circuit.

Mr. Jackson nominated D. O. Chenault of Franklin county.

Those who voted for Mr. Carmichael are of the senate;

Messrs. President, Almon, Austill, Bogart, Browder, Bruner, Culver, Cunningham, Darby, Hawkins, Hogue, Kemp, Kilpatrick, McElderry, McRae, Milner, Moody, Porter, Rogers, Samford, Sayre, Tumlin, Walker of Henry, Walker of Marengo, Wharton—25,

And of the house—

Messrs. Speaker, Banks, Barren, Boykin, Brown of Russell, Calhoun, Camp, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Fletcher, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Hill, Jinks, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Maples, Mayfield, Meador, Mahan, McCorvey, McQueen, O'Brien, Ott, Patton, PERRY, Rabb, Rand, Roach, Robinson, Rogers, Rowe, Sanford, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Whitten, Willett, Williams of Bullock, Williams of Henry—56.

Those who voted for Mr. Chenault are of the senate—  
Messrs. Day, Goodwyn, Robinson, Williamson—4.

And of the house—

Messrs. Beasley, Beeson, Brown of Conecuh, Burks, Cole, Cook of Talladega, Deans, Ellis, Ewing, Fielding, Forman, Franklin, Fuller, Gains, Harris, Hearn, Jackson, Killebrew, Langley, Manning, Meadows, Mills, Mixon, Reaves, Summers, Wheelless—26.

The president of the senate then proclaimed that A. H. Carmichael having received 81 votes, a majority of all the votes cast, was duly and constitutionally elected solicitor for the eleventh judicial circuit of Alabama for the term prescribed by law.

The president of the senate then announced that nominations for solicitor of the twelfth judicial circuit were in order.

Mr. Dale nominated Richard H. Parks of Pike county for solicitor of the twelfth judicial circuit of Alabama.

Mr. Harris nominated W. O. Mulkey.

Those who voted for Mr. Parks are of the senate—  
Messrs. President, Almon, Austill, Bogart, Browder, Culver, Cunningham, Hawkins, Hogue, Kemp, Kilpatrick, McElderry, McRae, Milner, Moody, Porter, Rogers, Samford, Sayre, Tumlin, Walker of Henry, Walker of Marengo—21.

And of the house—

Messrs. Speaker, Barren, Boykin, Brown of Russell, Burks, Calhoun, Camp, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Fletcher, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Hill, Jinks, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Maples, Mayfield, Mahan, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robinson, Rogers, Rowe, Routon, Sanford, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Whitten, Willett, Williams of Bullock, Williams of Henry—58.

Those who voted for Mr. Mulkey are of the senate—

Messrs. Day, Goodwyn, Hollis—3.

And of the house—

Messrs. Beasley, Beeson, Bellinger, Brown of Conecuh, Cole, Cook of Talladega, Deans, Ellis, Ewing, Fielding, Forman, Franklin, Fuller, Harris, Hearn, Jackson, Kil-

lebrew, Langley, Manning, Meadows, Mills, Mixon, Reaves, Summers, Wheelless—25,

The president of the senate then proclaimed that Richard H. Parks having received 79 votes, a majority of all the votes cast, was duly and constitutionally elected solicitor for the twelfth judicial circuit of Alabama for the term prescribed by law.

The object of the joint session having been accomplished, the senate retired to its chamber and the house proceeded to the consideration of its business.

Mr. Willett called up—

s. 200½. Senate joint resolution investing the governor with plenary power to dispose of the state convicts as to him seems best and most expedient until the enactment of a law thereon, which

Was read a third time at length and passed—yeas 65, nays 8.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fleming, Fletcher, Fulton, Gibbons, Graham, Grant, Graves, Hill, Jackson, Jinks, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mayneld, Meador, Meadows, Mahan, Moore, McCorvey, O'Brien, Ott, Patton, Perry, Rabb, Rand, Reaves, Roach, Robinson, Rogers, Rowe, Sanford, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Whitten, Willett, Williams of Bullock, Williams of Henry—65.

Nays:

Messrs. Cole, Deans, Franklin, Fuller, Gains, Harris, Manning, Wheelless—8.

Mr. John called up—

s. 35. To amend an act to establish the city court of Gadsden, approved February 18, 1891, by amending certain sections thereof;

The amendment offered by the committee was adopted and the bill

Was read a third time, at length, and passed—yeas 44, nays 27.

Yeas :

Messrs. Speaker, Barren, Boykin, Burks, Burns, Calhoun, Cook of Wilcox, Curtis, Dale, Davis, Fletcher, Fulton, Gewin, Graham, Grant, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Maples, Mahan, McCorvey, Patton, Perry, Prowell, Rabb, Rand, Roach, Robinson, Rogers, Savage, Scarborough, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Whitten, Williams of Bullock, Williams of Henry—44.

Nays:

Messrs. Banks, Beasley, Beeson, Brown of Conecuh, Cole, Ellis, Ewing, Forman, Franklin, Fuller, Gains, Gibbons, Graves, Harris, Hearn, Langley, Mastin, Meadows, Mills, Mixon, Reaves, Robbins, Routon, Savage, Smith of Butler, Taylor, Wheelless—27.

The hour of 1 o'clock having arrived, the house adjourned until 3p.m. to-day.

#### AFTERNOON SESSION.

The house met pursuant to adjournment.  
A quorum was present.

#### MESSAGE FROM THE GOVERNOR.

OFFICE OF THE GOVERNOR,

Dec. 13, 1894.

Mr. Speaker:

In accordance with joint resolution and by direction of the governor, I have the honor to return, herewith, H. B. 141 for correction.

Very respectfully,  
HARVEY E. JONES,  
Private Secretary.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended as therein shown and, as amended, has passed the following house bills :

H. 405. To provide for the empaneling of petit juries

and grand juries, and for the trial of criminal causes, in the Bessemer division of the circuit court of Jefferson county, holden at Bessemer, under "an act to provide for the holding of terms of the circuit court of the tenth judicial circuit for the trial of civil causes at Bessemer in and for certain portions of Jefferson county therein mentioned," approved February 21st, 1893 ;

H. 417. To establish a separate school district, to be known as Boaz District, in Marshall county ;

H. 150. To prevent the sale of oats for seed purposes, which are mixed with seed of the Johnston grass, or Means grass;

H. 74. To provide for the making and maintaining the public roads and bridges in Jefferson county, Alabama ;

And has passed the following house bills :

H. 75. To be entitled an act to define the territorial jurisdiction of justices of the peace and notaries public ex-officio justices of the peace of the several precincts in Jefferson county, and the notaries public ex-officio justices of the peace appointed for the several wards of the city of Birmingham ;

H. 78. To alter and amend the law relating to the territorial jurisdiction and pay of justices of the peace and notaries public ex-officio justices of the peace in precincts 21 and 37 in Jefferson county and the several wards of the city of Birmingham, and to provide a punishment for the violation thereof;

H. 193. To divide the county of Madison into four commissioners' districts, and to prescribe the term of office of the members of the commissioners court;

H. 196. For the relief of Neil Baiter, and the heirs of David Baiter, of Monroe county, Alabama, and to authorize the governor to issue a patent to certain lands to said parties;

H. 227. To repeal an act entitled an act to make four wires a lawful fence in a certain portion of Lawrence county, and to provide for the building and keeping up of a lawful fence along the line between townships 4 and 5;

H. 249. For the relief of F. A. Gamble, ex-probate judge of Walker county, Alabama;

H. 250. To create a separate school district in the city

of Jasper. Alabama, to define the boundaries thereof, and provide for the maintenance of schools therein;

H. 337. To repeal an act entitled "an act to regulate trials by juries in the county court of Clarke county," approved February 16th, 1891;

H. 450. To amend section one (1) of an act entitled an act to incorporate the town of Guin, in the county of Marion, and State of Alabama, approved February 21, 1893;

H. 479. To incorporate the city of Ozark, in the county of Dale;

H. 178. To provide for payment of claims against the fine and forfeiture fund of Clarke county;

H. 221. To establish a separate school district to be known as Reynolds School District, in Henry county ;

And has originated and passed the following bills :

s. 192. For the relief of W. L. Stallworth ;

s. 200. To incorporate the Huntsville Primitive Baptist Graded and Industrial School;

s. 204. To amend sections 1 and 2 of "an act to regulate the sale of real estate in the city of Montgomery, Alabama, for unpaid taxes assessed for municipal purposes," approved February 10, 1887;

s. 209. To regulate the drawing and organizing of jurors in Choctaw county ;

s. 205. To authorize the city council of Montgomery at any time to issue bonds for the purpose of funding the bonded indebtedness of the city of Montgomery.

W. L. CLAY, Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees as follows :

Education, s. 200;

Corporations, s. 204;

Revision of laws, s. 209;

Corporations, s. 205;

Appropriations, s. 192.

The house concurred in the senate amendment to

H. 405. To provide for the empannelling of petit juries and grand juries, and for the trial of criminal

causes, in the Bessemer division of the circuit court of Jefferson county, holden at Bessemer under an act to provide for the holding of terms of the circuit court of the tenth judicial circuit for the trial of civil causes at Bessemer in and for certain portions of Jefferson county therein mentioned, approved February 21st, 1893 ;

Yeas 52, nays 0.

Yeas :

Messrs. Speaker, Barren, Beeson, Brown of Russell, Camp, Cole, Dale, Davis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Harris, Jackson, John, Kelly, Kennedy, Killebrew, Knight, Langley, Lipscomb, Meadows, Mahan, Mixon, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rabb, Rand, Reaves, Roach, Robbins, Rowe, Savage, Scarborough, Smith of Autauga, Smith of Greene, Summers, Taylor, Wheelless, Williams of Bullock, Williams of Henry—52.

The house concurred in the senate amendment to

H. 417. To establish a separate school district to be known as Boaz District, in Marshall county;

Yeas 67, nays 0.

Yeas :

Messrs. Speaker, Barren, Beeson, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cole, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Harris, Hearn, Jackson, John, Kelly, Kennedy, Killebrew, Knight, Langley, Lipscomb, Martin, Mahan, Mixon, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robbins, Rowe, Sanford, Smith of Butler, Smith of Greene, Taylor, Wheelless, Willett, Williams of Bullock, Williams of Henry—67.

Also concurred in the senate amendment to

H. 150. To prevent the sale of oats for seed purposes which are mixed with seed of Johnston grass or Means grass;

Yeas 54, nays 3.

Yeas :

Messrs. Speaker, Barren, Beasley, Beeson, Brown of Russell, Camp, Cook of Wilcox, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Franklin, Fulton;, ,

Gains, Gewin, Gibbons, Grant, Graves, Harris, Jackson, John, Kennedy, Killebrew, Knight, Langley, Lipscomb, Mastin, Mahan, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Rowe, Routon, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Williams of Bullock, Williams of Henry—54.

Nays :

Messrs. Fuller, Kelly and Willett.

Also concurred in the senate amendment to

H. 74. To provide for the making and maintaining the public roads and bridges in Jefferson county, Alabama;

Yeas 55, nays 0.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Brown of Russell, Camp, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fleming, Fletcher, Forman, Fuller, Fulton, Gewin, Gibbons, Grant, Graves, Harris, Hearn, John, Kelly, Kennedy, Killebrew, Knight, Langley, Lipscomb, Mahan, Mixon, Montgomery, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robbins, Savage, Scarborough, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Wheelless, Willett, Williams of Bullock, Williams of Henry—55.

#### BILLS ON THIRD READING.

On a continuation of the roll call bills were called up and disposed of as follows :

By Mr. McQueen—

H. 511. For the relief of John S. Oldham and George H. Bodeker, and to authorize and require the city of Birmingham to pay them for services as police sergeants,

Was read a third time, at length, and passed—yeas 58; nays 0.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Calhoun, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Fleming, Fletcher, Forman, Franklin, Fuller, Gains,



Gewin, Gibbons, Graham, Grant, Graves, Harris, Jackson, John, Kelly, Kennedy, Knight, Langley, Lipscomb, Mastin, Mayfield, Meadows, Mahan, Mixon, McCorvey, McQueen, O'Brien, Ott, Perry, Prowell, Roach, Robbins, Rowe, Routon, Savage, Scarborough, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Ward, Willett, Williams of Bullock, Williams of Henry—58.

By Mr. O'Brien—

H . 490. To incorporate the Lauderdale County Fair Association,

Was read a third time, at length, and passed—yeas 61; nays 0,

Yeas :

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cole, Cook of Talladega, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Jackson, Jinks, Kelly, Kennedy, Killebrew, Knight, Langley, Mastin, Meador, Meadows, Mills, Mixon, McQueen, O'Brien, Ott, Patton, Prowell,, Rabb, Rand, Reaves, Roach, Robbins, Rogers, Rowe, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Williams of Bullock, Williams of Henry—61.

By Mr. .Ott—

s. 119. To make Muscle Shoals Canal in Lauderdale county a lawful fence,

Was read a third time, at length, and passed—yeas 57, nays 0.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Brown, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Hearn, Jackson, Jinks, Kelly, Killebrew, Kyle, Langley, Mastin, Meador, Meadows, Mahan, Mills, Mixon, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rand, Roach, Robbing, Rogers, Routon, Savage, Scarborough, Smith of Greene, Smith of Mobile, Summers, Williams of Bullock, Williams of Henry—57-

By Mr. McClusky—

H. 348. To authorize the court of county commissioners of exceeding three thousand dollars, to repair courthouse and jail of said county,

Was read a third time, at length, and passed—yeas 56, nays 9.

Yeas:

Messrs. Banks, Beasley, Beeson, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cook of Wilcox, Gurtis, Davis, Ellis, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Groves, Kelly, Kennedy, Killebrew, Knight, Langley, Mastin, Mayfield, Meadows, Mahan, Mixon, Moore, McQueen, O'Brien, Patton, Perry, Prowell, Rabb, Rand, Roach, Robinson, Rogers, Rowe, Scarborough, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Ward, Williams of Bullock, Williams of Henry—56.

#### MESSAGE FROM THE SENATE.

Mr Speaker:

The senate has concurred in the house amendment to the senate bill,

s. 17. To amend sections 5, 6, 10, 11, 14, 26, 28, and 29 of an act entitled an act to provide for the more efficient working of the public roads in Talladega county, approved December 9th, 1886, and to amend section 4 of an act entitled an act to amend sections 20, 21, 22 and 26 of an act entitled an act to provide for the more efficient working of the public roads in Talladega county, approved February 13th, 1889 ;

And has concurred in the house joint resolution, raising a joint committee to investigate and report to the two houses the amount of money belonging to the state expended in the inauguration ceremonies for what purpose used and by what authority;

Committee on the part of the senate, Messrs. Walker of Marengo and Browder ;

And has amended as therein shown, and, as amended, has passed the house bills

H. 55. To amend subdivision 5 of section 699 of the code;

H. 92. To legalize the registration of deeds of conveyance which have been filed and recorded in the office of the judge of probate of the proper county, in this state before the passage of this act, but not within the time required by law ;

H. 451. To incorporate the Phenix City Railway Company; define its rights, privileges, powers and franchises;

And has passed the house bill,

H. 190. To provide and prescribe for service upon receivers, foreign and domestic, holding, owning, claiming: or operating property in this state.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The house concurred in the senate amendment to

H. 451. To incorporate the Phenix City Railway Company, define its rights, privileges, powers and franchise ,

Yeas 63, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Forman, Franklin, Fuller, Fulton, Graham, Grant, Graves, Harris, Hearn, John, Kelly, Kennedy, Killebrew, Langley, Mastin, Mayfield, Meadows, Mahan, Mills, Mixon, McCorvey, O'Brien, Ott, Patton, Perry, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Tuck, Ward, Wheel-ess, Williams of Bullock—63.

And the house concurred in the senate amendment to H. 55. To amend subdivision 5 of section 699 of the Code,

Yeas 52, nays 4.

Yeas:

Messrs. Speaker, Beasley, Beeson, Boykin, Brown of Russell, Calhoun, Camp, Cook of Wilcox, Dale, Davis, Ellis, Ewing, Fleming, Fletcher, Forman, Franklin,

Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Harris, Jinks, Kelly, Knight, Langley, Mastin, Meadows, Mahan, Mison, O'Brien, Patton, Perry, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Scarborough, Smith of Butler, Smith of Mobile, Summers, Turner, Ward, Wheelless, Whitten—52.

Nays: Messrs. John, Mayfield, Ott, Tuck—4.

And the house concurred in the senate amendment to H. 92. To legalize the registration of deeds of conveyance which have been filed and recorded in the office of the judge of probate of the proper county, in this state, before the passage of this act, but not within the time required by law,

Yeas 63, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cole, Coleman, Cook of Wilcox, Dale, Davis, Ellis, Swing, Fleming, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Harris, John, Kelly, Kennedy, Knight, Langley, Lipscomb, Mastin, Mayfield, Mills, Mixon, O'Brien, Ott, Patton, Perry, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Smith of Butler, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—63.

By Mr. Patton—

H. 361. To authorize the commissioners court of Tuscaloosa county to establish districts in which stock may be prevented from running at large,

Was read a third time, at length, and passed—yeas 57, nays 0.

Messrs. Banks, Brown of Russell, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Jacksod, Jinks, John, Kelly, Kennedy, Killebrew, Langley, Mayfield, Meadows, Mahan, Montgomery, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Roach, Robinson, Rowe, Routon, Savage, Scarborough, Seale, Smith of Butler, Smith of Greene, Smith of Mobile,

Summers, Taylor, Tuck, Turner, Ward, Wheelless, Willett, Williams of Bullock—57.

By Mr. Perry—

H. 243. To regulate and prescribe the manner of electing county commissioners of Perry county,

Was read a third time, at length, and passed—yeas 61, nays 0.

Yeas:

Messrs. Banks, Beeson, Bellinger, Brown of Russell, Burks, Camp, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Jackson, Jinks, Kelly, Kennedy, Killebrew, Knight, Langley, Maples, Mastin, Mayfield, Meadows, Mahan, Mixon, McQueen, O'Brien, Patton, Perry, Prowell, Rand, Roach, Rowe, Savage, Scarborough, Screws, Smith of Butler, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Willett, Williams of Bullock—61.

By Mr. Prowell—

H. 401. To provide for the county treasurer keeping a sufficient fund to pay grand and petit jurors, and the members of the court of county commissioners, and county stationery bills in Washington county,

Was read a third time at length, and passed—nays 60, nays 0.

Yeas :

Messrs. Banks, Barren, Beeson, Brown of Russell, Burks, Calhoun, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gibbons, Graham, Grant, Graves, Harris, Hill, Jackson, Jinks, Kelly, Kennedy, Killebrew, Knight, Langley, Maples, Mastin, Mayfield, Meadows, Mahan, Mixon, Montgomery Patton, Perry, Prowell, Rand, Roach, Robbins, Routon, Savage, Scarborough, Scale, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Wheelless, Willett, Williams of Bullock—60.

By Mr. Rand—

s. 87. To amend sections 5, 9 and 10 of an act entitlee an act to provide a new charter for the city of Tusculumbia, approved February 28th, 1887,

Was read a third time at length, and passed—yeas 60, nays 0.

Yeas:

Messrs. Barron, Brown of Conecuh, Brown of Russell, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ewing, Fleming, Fletcher, Ford, Forman, Franklin, Puller, Fulton, Gewin, Gibbons, Graves, Harris, Hearn, Jackson, Jinks, Kelly, Kennedy, Killebrew, Langley, Maples, Mayneld, Meadows, Mills, Mixon, O'Brien, Ott, Patton, Perry, Rabb, Rand, Roach, Rowe, Savage, Scarborough, Seale, Smith of Greene, Smith of Mobile, Tuck, Ward, Wheelless, Willett, Williams of Bullock—60.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

#### HOUSE OF REPRESENTATIVES.

Mr. Speaker:

The committee on enrolled bills report the following bills correctly enrolled :

H. 290. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the state, for interest on the public debt, and for public schools.

H. 68; To alter and amend the law relating to the territorial jurisdiction and pay of justices of the peace and notaries public ex-officio justices of the peace in precincts 21 and 37 in Jefferson county, and the several wards of the city of Birmingham, and to provide a punishment for the violation hereof;

H. 250. To create a separate school district in the city of Jasper, Alabama, to define the boundaries thereof, and provide for the maintenance of schools therein.

J. H. MONTGOMERY,  
Chairman.

#### SIGNING BILLS.

The speaker of the house in the presence of the house immediately after their titles had been publicly read by the clerk signed the bills whose titles are set out in the foregoing report of the committee on enrolled bills.

By Mr. Reaves—

s. 97. To incorporate Graham College in Randolph county, Alabama,

Was read a third time at length, and passed—yeas 57, nays 0.

Yeas:

Messrs. Speaker, Banks, Barron, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ellis, Fletcher, Ford, Forman, Fuller, Fulton, Gains, Gewin, Gibbons, Grab am, Grant, Graves, Harris, Hearn, Jackson, Jinks, Kelly, Kennedy, Killebrew, Langley, Lipscomb, Mastin, Mayfield, Mahan, Mills, Mixon, McQueen, Rand, Reaves, Roach, Robinson, Rowe, Savage, Scarborough, Seale, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless Willitt, Williams of Bullok—57.

By Mr. Rabb—

H. 47. To provide for the compensation for the county solicitor of Tuscaloosa county,

Was read a third time at length, and passed—yeas 55, nays 0.

Yeas :

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Hearn, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Langley, Maples, Mastin, Mayfield, Meadows, Mahan, Mixon, Montgomery, O'Brien, Oft, Patton, Perry, Rabb, Rand, Roach, Robbins, Robinson, Rowe, Scarborough, Seale, Smith of Butler, Smith of Mobile, Summers, Taylor, Tuck, Ward, Wheelless, Willett, Williams of Bullock—55.

On motion of Mr. Graham he was granted leave to call up H. 301 the first day after the recess.

By Mr. Roach—

H. 394. To regulate the reports of committing magistrates in the counties of Dallas, Hale, Lowndes, Perry and Wilcox,

Was read a third time, at length, and passed—yeas 51, nays 0.

Yeas :

Messrs. Barron, Beasley, Beeson, Bellinger, Brown of Russell, Cole, Cook of Talladega, Curtis, Dale, Ellis, Ewing, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant,

Graves, Jackson, Jinks, Kelly, Kennedy, Killebrew, Knight, Langley, Lipscomb, Maples, Mastin, Mahan, Patton, Perry, Rabb, Rand, Roach, Robinson, Rogers, Routon, Savage, Scarborough, Smith of Mobile, Summers, Turner, Ward, Wheelless, Williams of Bullock—51.

H. 323. To amend section 3091 (3496) of the code of 1886,

Was read a third time at length, and lost—yeas 25, nays 9.

Yeas:

Messrs. Beasley, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Forman, Franklin, Fuller, Fulton, Gibbons, Jinks, Kelly, Kennedy, Knight, Langley, Mixon, Roach, Robinson, Rowe, Sanford, Turner, Ward, Wheelless, Willett, Williams of Henry—25.

Nays:

Messrs. Banks, Barren, Brown of Russell, Curtis, Fletcher, Forman, Fuller, Knight, Rabb—9.

By Mr. Robbins—

H. 347. To give to blacksmiths and wood workmen a prior lien on crops in the county of Lamar

Mr. Robbins offered the following amendment:

Amend by adding to the provisions of the bill the counties of Etowah, Walker, Lee, Coosa, Bullock, Cherokee, Tallapoosa, Fayette, Marion, DeKalb, Colbert, which was adopted, and the bill

Was read a third time at length, and passed—yeas 35, nays 18.

Yeas:

Messrs. Barren, Beasley, Beeson, Bellinger, Brown of Conecuh, Burks, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Gewin, Grant, Harris, Jackson, Jinks, Killebrew, Langley, Mastin, Meadows, Mills, McQueen, Rabb, Rand, Robbins, Robinson, Rogers, Rowe, Smith of Butler, Summers, Wheelless, Williams of Bullock, Williams of Henry—35.

Nays:

Messrs. Speaker, Boykin, Brown of Russell, Fulton, Kelly, Kyle, Mahan, Montgomery, Patton, Prowell, Routon, Sanford, Smith of Mobile, Tuck, Turner, Ward, Willett—18.



By Mr. Robinson—

H. 314. To amend an act entitled an act to regulate the mode of selecting, drawing and empanelling grand and petit jurors for the county of Mobile, approved February 20th, 1883, and to amend section three of an act entitled an act to amend sections six, eight, ten, eleven and thirteen of an act entitled "an act to regulate the mode of selecting, drawing and empanelling grand and petit jurors for the county of Mobile," approved February 20th, 1883,

Was read a third time, at length, and passed—yeas 58, nays 0.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Jackson, Jinks, Kelly, Kennedy, Killebrew, Knight, Langley, Lipscomb, Mastin, Mayfield, Meadows, Mahan, Mills, Mixon, Ott, Patton, Prowell, Robinson, Rogers, Routon, Sanford, Savage, Scarborough, Smith of Mobile, Summers, Tuck, Turner, Wheelless, Willett—58.

By Mr Rogers—

H. 81. To provide for the registration and lien of judgments rendered by justices of the peace and notaries public, ex-officio justice of the peace, for the payment of money.

The amendment offered by the committee was adopted and the bill

Was read a third time at length and passed—yeas 57, nays 4.

Yeas :

Messrs. Barren, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Camp, Cole, Cook of Talladega, Cook of Wilcox, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Jinks, John, Kennedy, Killebrew, Knight, Langley, Mayfield, Meadows, Mahan, Mills, Mixon, Ott, Patton, Perry, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Scarborough, Smith of Mobile, Summers, Tuck, Turner,

Ward, Willett, Williams of Bullock, Williams of Henry

—57.

Nays:

Messrs. Speaker, Boykin, Calhoun, Kelly—4.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has passed the following house bill:

H . 184. For the preservation of game and birds in the county of Henry;

And has amended as therein shown, and, as amended, has passed the bill,

H. 62. To prevent the printing, publishing, selling, offering to sell, or otherwise disposing of books, pamphlets or tracts containing a history of any man popularly known as an outlaw;

And has concurred in the house joint resolution requesting the president of the senate and the speaker of the house to erase their signatures from the house bill No. 141.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The house concurred in the senate amendments to H. 62, whose title is above set forth ;

Yeas 52, nays 4.

Yeas :

Messrs. Speaker, Beasley, Beeson, Brown of Conecuh, Calhoun, Cole, Curtis, Dale, Davis, Ellis, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Hearn, Hill, Jackson, Jinks, Kelly, Kennedy, Killebrew, Langley, Mastin, Meadows, Mahan, Mills, Montgomery, O'Brien, Patton, Perry, Prowell, Rand, Roach, Robinson, Rogers, Savage, Seale, Smith of Butler, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheeless, Williams of Bullock, Williams of Henry—52.

Nays:

Brown of Russell, Cook of Wilcox, Knight, Mixon—4.

The speaker of the house erased his signature from house bill 141.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the house amendment to the senate bill,

s. 35. To amend an act to establish the city court of Gadsden, approved February 18, 1891, by amending certain sections thereof.

In pursuance of the house joint resolution heretofore adopted, requesting the speaker of the house and the president of the senate to erase their signatures from the house bill No. 141, the president of the senate has so erased his signature from the said bill.

W. L. CLAY,  
Secretary.

By Mr. Rowe—

H. 551. To regulate issuance of license to sell vinous, spirituous, or malt liquors in Morgan county, and approved February 3, 1883.

Mr. Mahan offered an amendment, which was adopted, and the bill

Was read a third time, at length, and passed—yeas 55, nays 1.

Yeas:

Messrs. Speaker, Beasley, Beeson, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ellis, Ewing, Ford, Forman, Fuller, Fulton, Gibbons, Graham, Grant, Graves, Jackson, John, Kennedy, Killebrew, Knight, Langley, Lipscomb, Mastin, Mayfield, Meadows, Mills, Mixon, O'Brien, Ott, Patton, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Scarborough, Smith of Butler, Smith of Mobile, Summers, Tuck, Turner, Ward, Whitten, Williams of Bullock—55.

Nay: Mr. Franklin.

By Mr. Routon—

H. 478. To incorporate the town of Brantley, Crenshaw county,

Was read a third time at length and passed—yeas 59, nays 0.

Messrs. Speaker, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cole,

Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Gewin, Gibbons, Graham, Grant, Graves, John, Kelly, Kennedy, Knight, Langley, Lipscomb, Mastin, Mayfield, Meadows, Mahan, Mills, Mixon, O'Brien, Patton, Perry, Rand, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Scarborough, Smith of Butler, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Williams of Bullock—59.

By Mr. Sanford—

H . 580. To incorporate the Mutual Fire Insurance Association of Montgomery, and to define its rights, powers and franchises,

Was read a third time, at length, and passed—yeas 60, nays 0.

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Brown of Russell, Burks, Calhoun, Camp, Cole, Coleman, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fleming, Fletcher, Forman, Fuller, Fulton, Gains, Graham, Grant, Hill, Jinks, John, Kelly, Killebrew, Knight, Langley, Lipscomb, Mayfield, Meadows, Mahan, Mills, Mixon, McCorvey, O'Brien, Ott, Perry, Prowell, Rand, Reaves, Roach, Robinson, Rogers, Rowe, Sanford, Savage, Seale, Smith of Butler, Smith of Mobile, Summers, Taylor, Tuck, Ward, Wheelless, Williams of Bullock—60.

On motion, the house adjourned until 10 o'clock a, m. to-morrow.

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TWENTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,  
December 14, 1894.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Ott of the house.

A quorum was present.

The committee on revision of the journal reported the journal of yesterday correct.

THE SPEAKER

Announced that he had appointed Mr. Brooks to take

the place of Mr. Meador on the joint committee to sit during the recess to consider the assessment laws of the state.

MESSAGE FROM THE GOVERNOR.

OFFICE OF THE GOVERNOR.

December 14, 1894.

Mr. Speaker:

I have the honor to inform you that the following-bills, which originated in the house, have been approved :

Nos. 86, 174, 226, 110, 32, 30, 196, 227, 293, 205, 337, 142,249, 178, 147, 21,193, 5, 75, 221, 290, 78.

Very respectfully,

HARVEY E. JONES,  
Private Secty.

RECONSIDERATION.

On motion of Mr. Boykin the vote by which the house concurred in the senate amendment to

H. 451. To incorporate the Phenix City Railway Company, define its rights, privileges, powers, franchises ,

Was reconsidered and the house non-concurred and asked for a committee of conference ;

Committee on the part of the house,  
Messrs. Boykin and Jinks.

On motion of Mr. Knight the vote by which

H. 323. To amend section 3091 of the code of 1886,

Was lost on yesterday was reconsidered.

The vote by which the bill was ordered to a third reading was reconsidered, and the bill was reinstated upon the calendar.

RESOLUTIONS.

Resolutions were offered and disposed of as follows :

By Mr. Fletcher—

Resolved by the house, the senate concurring, that the

general assembly adjourn at 6 o'clock this evening, and reconvene at 10 o'clock Tuesday, January 22d, 1895.

Adopted.

By Mr. Davis—

Resolved by the house, the senate concurring, that the house bill No. 250 now in the hands of the governor be recalled for the purpose of correction.

Adopted.

By Mr. Jackson—

H. 159. Resolved by the house the senate concurring, that house bill 159, now in the hands of the governor, be recalled for the purpose of correction.

Adopted.

By Mr. John—

H. 118. Resolved by the house, the senate concurring, that house bill 118 now in the hands of the governor be recalled for the purpose of correction.

Adopted.

Mr. Fuller submitted the following which was ordered spread on the journal.

#### A PROTEST.

The undersigned most earnestly protests against the proceedings of the house of representatives in this, that when the representative from Bibb county introduced a bill to abolish a county court of said county in accordance with the wishes and interest of his constituents, it was captiously laid on the table without giving him an opportunity to be heard on its merits. Such action shows clearly a total disregard for the right of local self government which is the basil structure of all republican governments. This right of local self government was totally ignored by the house in refusing the representative of Bibb an opportunity to faithfully discharge his duty to his people on the floor of the house.

2nd. In passing a bill conferring additional powers and jurisdiction upon the county court of Bibb county which court is an uncalled for expense to said county and should have been abolished as the circuit court has ample time to dispose of all the litigation of said county.

3rd. This act has been perpetrated under the false

guise that the representative from Bibb county was trying to enact legislation for partisan purposes and in the interest of a few the victors having accomplished their vile ends gloat and laugh while the county mourns and hangs its head in shame.

4th. The rights of a sister county have been trampled in the dust and laughed to scorn by those who should be ever ready to hold her up. Feeling the sting of this outrage, I can but enter this my solemn protest and leave it on the journal of the house that after I am dead the people of my county and state when looking over its pages can see how this, the county of Bibb, has been outraged in attempting to maintain local self government in the year of our Lord 1894; but we look to a just and allwise God who will right all wrongs in His own good time.

NELSON FULLER.

#### INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced severally, read one time, and referred to appropriate committees, as follows :

By Mr. Willett—

H. 664. To confer upon persons, firms and corporations, constructing, owning and operating water works in this state, for the purpose of supplying water to any city, town, or municipality or community or the inhabitants thereof, or for any other public use, the right, power and authority to acquire and take real estate, rights and easements necessary, suitable and proper for such purposes and prescribing the manner of proceeding in the exercise of such right, power and authority,

Judiciary;

By Mr. Sanford—

H. 665. To authorize the introduction of certain testimony on trials for " using abusive, obscene or insulting language in the presence of females,

Judiciary;

By Mr. Graham—

H. 666. To amend an act to incorporate the inhabitants and territory formerly embraced within the corporate limits of the municipal corporation (since dis-

solved) styled the city of Selma, and to establish a local government therefor, approved February 17th, 1893, by amending section seven thereof,  
Revision of laws.

#### BILLS ON SECOND READING.

The chairman of the several committees reported favorably on the following bills :

H. 539. To repeal an act entitled an act to provide for the listing of lands by tax assessors, approved February 28, 1889, so far as it relates to Barbour county;

H. 391. To prohibit the selling, bartering, exchanging or giving away of spirituous, vinous or malt liquor, intoxicating bitters or beverages in beat eight and beat eighteen, Elmore county, Alabama ;

s. 59. To amend sections 2080, 2081, 2082, 2084, 2086, 2087, 2134, 2175, 2176, 2192, 2199, 2209, 2238, 2239, 2244, 2245, 2263, 2275 of the code ;

s. 62. To amend section 3789 of the Code of Alabama ;

s. 63. To amend section 3790 of the Code of Alabama ;

s. 142. To provide for the recording of the verdict of the jury in criminal cases, where the case has been finally submitted to the jury and pending their consideration of the case, the defendant absconds or escapes, and to prescribe the proceedings in such cases ;

s. 13. To amend section 8 of an act to provide liens for mechanics, and material men, and to repeal sections 3018, 3022, 3025, 3026, 3028, 3041 of the code, and section 3027, as amended by the Acts 1888-89, approved February 12th, 1891;

s.180. To amend section 1 of an act to regulate the taxation of insurance companies, approved February 20th, 1895.

The above and foregoing bills were severally read a second time, and placed on the calendar.

Mr. Fletcher from the committee on rules reported favorably the following :

Resolved by the house the senate concurring. That a joint committee consisting of five, three upon the part of the house and two upon the part of the sen-



ate to be appointed by the speaker of the house and president of the senate respectively, to visit the penitentiary, the convict farm at Spigners, Ala., and the convict mines at Pratt City and Coalburg, Ala., and that the time for visiting said places shall be during the recess of the general assembly and shall be designated by the chairman of the committees of penitentiary and criminal administration and penitentiary, prisons and punishment.

The committee recommended the following amendment :

Provided the time to be consumed in the investigation; shall not exceed ten days.

The amendment was lost and the resolution was lost.

Mr. Meador submitted the following :

Mr. Speaker:

Your committee appointed to examine the offices and books of the state auditor and state treasurer, beg leave to report as follows :

That in the limited time they have had to do the work they have only counted the money in the treasury, which amount they ascertain to be \$154,411.32, which is a few cents more than the books of the treasurer call for.

If it is the desire of the general assembly that a more thorough examination should be made it will require the assistance of able experts and more time than this session of the legislature to do the work.

J. M. CUNNINGHAM,  
A. T. GOODWYN,  
Committee on part senate.  
D. J. MEADOR,  
MAC A. SMITH,  
Committee on part house,

Which was ordered spread upon the journal.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended as therein shown, and, as amended, has passed the house bill,

H. 141. To prohibit the selling, giving away, or dis--

posing of spirituous, vinous or malt liquors, or of alcoholic bitters, cordials or beverages of any kind, in St. Clair county;

And has passed the house bill

H . 135. To repeal an act entitled an act to regulate the commissioners court in Marion county ;

H. 251. To amend section eight of an act entitled an act to amend section 2 and paragraphs 5, 7, 9 and 10, and section 4 and sections 9 and 10 of an act entitled an act to provide for a charter for the city of Jasper, in Walker county, Alabama, approved February 6th, 1889 ;

H. 554. To regulate and provide for the trial of misdemeanors in Washington county;

H. 69. To amend section (320) three hundred and twenty of the code of 1886;

And has originated and passed the following bill:

s. 120. To prevent hunting on lands without the consent of the owner, after the same shall have been posted by the owner at three conspicuous places thereon in St. Clair county.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once, and referred to the committees, as follows :

Local legislation, s. 120.

The house concurred in the senate amendment to

H. 141. To prohibit the selling, giving away, or disposing of spirituous, vinous or malt liquors, or of alcoholic bitters, cordials or beverages of any kind in St. Clair county.

Yeas 73, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brown of Russell, Burks, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ewing, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Dipscomb, Maples, Mastin, Mayfield, Meador, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McQueen, O'Brien, Ott, Pat-

ton, Perry, Prowell, Rand, Roach, Robinson, Rogers, Routon, Sanford, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheeless, Williams of Bullock—73.

Mr. Meador presented the following report :

Mr. Speaker:

Your special committee appointed under joint resolution, adopted December 12th, to inquire and report "what amount of money belonging to the state was expended for and in connection with the inaugural ceremonies of the present governor, by whom expended, and by what authority, together with their recommendation touching the same," have had the same under consideration and respectfully report:

That one hundred dollars of the public money, was necessarily expended for and in connection with the inauguration ceremonies of the present governor; that the same was expended by the joint committee of the two houses and that the money was obtained upon the warrant of the auditor drawn upon the treasurer pursuant to an order from Governor Jones, at the request of the joint committee to pay that amount out of the contingent fund to the chairman of the said committee.

The contingent fund, as its very name implies, is a fund provided by law to meet expenditures for occasions not covered or supplied by the general law. There is no limit to the objects to which it may be applied, save that it must be used for public purposes and not applied to any purpose forbidden by law. In no other respects are the uses or objects for which this fund may be applied, limited or denned, and how, or to what extent, it shall be used within these limits, the law commits to the sound discretion of the governor. Any payment made out of the fund by his order, for any public purpose not forbidden bylaw, is a legal and valid payment.

In the congress of the United States and in the legislatures of the several states, it is the universal practice to pay necessary expenses of committees, incurred in discharge of duties imposed by the bodies of which they are members. Any other rule would be unjust and prove detrimental to the public service. Expenses incurred by a joint committee in the inauguration of a governor

are for public purposes. There is no law which forbids such payment. It was within the discretion of the governor to pay them out of the contingent fund, and his order to make the payment concludes all dispute as to the legality or validity of the payments. Its wisdom or propriety only remains open for inquiry and approval or disapproval.

The two houses undertook to prescribe the inauguration ceremonies and adopted a formal order of exercises to be observed. They charged their joint committee with the duty of making the proper arrangements, and of seeing that they were carried out. It had been the custom to pay such expenses by special appropriation or out of the contingent fund.

Under such circumstances, neither the Governor nor the joint committee would have been justified in imputing to the general assembly a purpose to have the incoming Governor inaugurated in a different manner than usual, or harboring a design to impose the performance of public duties upon the joint committee, the proper performance of which would entail expense, coupled at the same time, with an intent not to reimburse them. Proper regard for the general assembly would prevent either the outgoing governor or the joint committee from accepting or acting upon such a view. There was nothing contradictory of this in the fact that the house declined to concur in a simple joint resolution passed by the senate making an appropriation of \$100 for such expenses. It might well have been that the action of the house was due to the belief that under the constitution such an appropriation must be made by formal act, and could not lawfully be made by joint resolution ; or that there was no necessity for a special appropriation, since it ought to be paid out of the governor's contingent fund. If non-concurrence in the senate resolution was due to either cause, it was not significant of any desire or purpose of the house to defeat a regular appropriation by formal act, much less evidence of any desire to prevent the payment of such expenses out of the contingent fund.

Payment of inauguration expenses is nothing new in Alabama. Your committee has not had the time, nor was it deemed material to search the archives for all the precedents. It suffices to state, that the expenses of Gov-

ernor Shorter's inauguration -were included in the general appropriation bill, and those of Governors Patton and Watts paid by special acts, while those of Governor O'Neal were paid by his predecessor out of the contingent fund. From the best information your committee can obtain, it has been the custom, dating many for years before the war, to pay such expenses ; the retiring governor generally paying out of the contingent fund the expenses of inaugurating his successor, though in some instances, as in the case of Governor Shorter, expenses were included in the general appropriation act, and some times in acts for the relief of the marshal or other person charged with the inaugural arrangements. Your committee can learn of but one instance in the history of the state where there was a failure to make an appropriation for such expenses when asked for. That was in 1890, when a bill for that purpose passed one house and failed to be taken up in the other, and in consequence the legislature enjoys the unenviable attitude of having used a man's hacks for its committees and refusing to pay him therefor. Your committee is of the opinion that both the governor and the joint committee, in view of the action of the two houses in prescribing the ceremonies and appointing a joint committee to represent them, and the long established precedent in relation to the payment of such expenses, were justified in presuming that there was no objection to the payment of such expenses out of the contingent fund. Apart from this, existing law made the governor, who is the head of one of the departments of government, the judge whether it was proper to pay these expenses out of the contingent fund. The senate favored their payment on a simple joint resolution. Even if the non-concurrence of the house can be treated as a declaration that these expenses should not be paid at all (and we have seen that it cannot be so treated) we have the case of the two bodies constituting the legislative department divided as to the propriety of the payment of these expenses , while the executive department, which is of equal dignity with the legislative, approving their payment. Dismissing other considerations, your committee in view of the division of sentiment between the two bodies of the general assembly, if non-concurrence in the sen-

ate resolution can be treated as a difference as to the payment of these expenses under any circumstances, would find it difficult to give reasons for disapproving the action of the governor or the joint committee in the premises as the payment and the acts of the committee were strictly in pursuance of law and in furtherance of the duties imposed upon them.

In view of the facts and the consideration mentioned, your committee is of the opinion that the payment by the governor out of the contingent fund, at the request of the joint committee, of the expenses incurred in discharge of the duties imposed upon them by the two houses in connection with the inaugural ceremonies of the present governor, was not only strictly legal, but eminently proper, and does not involve any want of deference to either branch of the general assembly.

Holding these views your committee finds no useful field for any recommendation, and asks to be discharged.

MIMS WALKER,  
WM. M. BROWDER,  
Committee on part senate,  
D. J. MEADOR,  
THOMAS E. KNIGHT,  
Committee on the part of the house.

Mr. Deans presented the following minority report:

#### MINORITY REPORT.

The caption of the majority report is a misstatement on its face, because the report was typewritten before the committee met for the purpose of investigation.

There are many statements contained therein not warranted by the evidence before the committee and there are some facts which were brought out by the committee which the report does not show.

The report was railroaded through the committee without proper consideration. The meeting of the committee was held at the Exchange hotel, where it was impossible to have access to documentary evidence. I therefore dissent from the majority report.

The question being the adoption of the minority report as an amendment, it was lost—yeas 26, nays 55.

Yeas:

Messrs. Beasley, Beeson, Brown of Conecuh, Cole, Cook of Talladega, Deans, Ellis, Ewing, Franklin, Fuller, Harris, Hearn, Jackson, Killebrew, Langley, Manning, Mastin, Meadows, Mills, Mixon, Rogers, Routon, Smith of Butler, Summers, Wheelless—26.

Nays:

Messrs. Speaker, Barren, Boykin, Brown of Russell, Calhoun, Camp, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Fletcher, Fulton, Gibbons, Graham, Grant, Graves, Hill, Jinks, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Maples, Mayfield, Meador, Mahan, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rand, Roach, Robinson, Rowe, Sanford, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Whitten, Willett, Williams of Bullock, Williams of Henry—55.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has originated and passed the following bill:

s. 170. To prevent stock from running at large in certain parts of Perry county, viz: Uniontown and Walthall's precincts,

And has passed the house bills

H. 71. To amend section 3763 of the criminal code of 1886;

H. 154. To require persons operating coal and ore mines, who pay for mining the same by weight, to have such coal honestly and carefully weighed ;

H. 397. To confirm, amend and enlarge the charter of the Chattahoochee Brewing Company;

H. 536. To incorporate the town of Goodwater, Coosa county, Alabama;

H. 393. To prevent stock from running at large in certain portions of Beat No. 3 in the county of Hale, state of Alabama;

H. 428. To fix the time and place of holding circuit court in the third judicial circuit;

H. 41. To regulate the issue of garnishments and the proceedings therein in the county of Morgan;

H . 459. Authorizing the abstracts of the burnt records of Franklin county to be used in evidence where the original instrument is destroyed ;

H . 95. To provide for the entry of payment of the purchase money recited in conveyance of property on the margin of the record of such conveyances ;

H. 389. To amend section 3532 of the code of Alabama;

And has concurred in the report of the joint committee heretofore raised to investigate certain expenditures from the contingent fund on the inauguration of the governor;

And has concurred in the report of committee of conference on the disagreement of the two houses on the house bill,

H. 9. To give to owners of lands or their assignees a lien for the stipulated price, or value, commonly known as stumpage, of timber sold from said lands, and to provide for the enforcement thereof ;

And has concurred in the report of the conference committee on the disagreement of the two houses on the bill,

H. 82. To establish a board of revenue for Lowndes county and define the power and duties of said board of revenue;

And has concurred in the house joint resolution requesting the governor to return to the senate the house bill 118 for amendment.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees as follows :

Local legislation, s. 170 ;

Mr. John submitted the following :

Mr. Speaker:

The committee of conference to whom was referred the disagreeing votes of the houses on senate-



amendment to house bill No. 82, has had the same under consideration, and respectfully report as follows :

That they recommend that the house concur in the seriate amendment by way of a substitute for said house bill No. 82, all of which is respectfully submitted.

W. BREWER;  
JOHN T. MILNER,  
P. M. BRUNER,

Committee on part of the senate.

C. P. ROGERS, SR.,  
SAML WILL JOHN,  
Committee of house.

#### CONCURRENCE.

The house concurred in the foregoing report—yeas 53, nays 0.

Yeas:

Messrs. Speaker, Beeson, Bellinger, Boykin, Brown of Conecuh, Burks, Burns, Calhoun, Camp, Cole, Cook of Talladega, Curtis, Dale, Ellis, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Grant, Graves, Harris, Jackson, Jinks, John, Kennedy, Killebrew, Kyle, Manning, Maples, Mastin, Meadows, Mahan, Mills, Mixon, McCorvey, McQueen, O'Brien, Patton, Prowell, Rand, Robbins, Robinson, Rogers, Routon, Savage, Scarborough, Screws, Tuck, Wheelless, Williams of Bullock—53.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has originated and passed the following bill:

s. 168. To establish a county school book board to select a uniform series of text books for use in the public schools in the counties of Lamar, Walker and Fayette;

And has adopted joint resolution herewith sent authorizing the auditor to draw his warrant on the state treasurer to pay Reed Sayre for services rendered to the joint committee, to examine the offices of auditor and treasurer;

And has concurred in the house joint resolutions re-

requesting the governor to return to the house the house-bills 250 and 159, respectively,

And has concurred in the report of the conference committee on the disagreement of the two houses on the bill

H. 451. To incorporate the Phenix City Railway Company, define its rights, privileges, and franchises.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The resolution authorizing the auditor to draw his-warrant on the state treasurer to pay for services rendered the joint committee to examine the offices of auditor and treasurer,

Was referred to the committee on rules.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once, and referred to the committees, as follows :

Education, s. 168.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bills, your signature thereto is requested :

s. 35. To amend an act to establish the city court of Gadsden, approved February 18, 1891, by amending certain sections thereof ;

s. 19. To make Muscle Shoals canal, in Lauderdale county, a lawful fence ;

s. 97. To incorporate Graham College in Randolph county, Ala. ;

s. 87. To amend sections 5, 9 and 10 of an act entitled an act to provide a new charter for the city of Tusculumbia, approved February 28th, 1887 ;

s. 17. To amend sections 5, 6, 10, 11, 14, 26, 28, 29 and 25 of an act entitled an act to provide for the more efficient working of the public roads, in Talladega county,

approved December 9, 1886, and to amend section 4 of an act entitled an act to amend sections 20,21, 22 and 26 of an act entitled an act to provide for the more efficient working of the public roads in Talladega county, approved February 13, 1889 ;

S. J. R. Recommending Hon. H. R. Shorter's appointment as a member of the interstate commerce commission ;

s. 200½. Joint resolution vesting the governor with plenary power to dispose of the state convicts as to him seems best and most expedient until the enactment of a law thereon.

W. L. CLAY,  
Secretary.

### SIGNING BILLS.

The speaker of the house in the presence of the house immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set out in the foregoing, senate message.

### REPORT OF COMMITTEE ON ENROLLED BILLS.

#### HOUSE OF REPRESENTATIVES.

Mr. Speaker:

The committee on enrolled bills report the following correctly enrolled :

H. 62. To prevent the printing, publishing, selling, offering to sell or otherwise disposing of books, pamphlets or tracts containing a history of any man, popularly known as an outlaw ;

H. 55. To amend subdivision 5 of section 699 of the code of Alabama;

H. 135. To repeal an act entitled an act to regulate the commissioners court in Marion county ;

H. 150. To prevent the sale of oats for seed purposes, which are mixed with seed of the Johnston grass or Mean's grass;

H. 190. To provide and prescribe for service upon receivers, foreign and domestic, holding, owning, claiming or operating property in this state ;

H. 450. To amend section one of an act entitled an act to incorporate the town of Guin, in the county of Marion, and state of Alabama, approved February 21, 1893 ;

H. 92. To legalize the registration of deeds of conveyance which have been filed and recorded in the office of the judge of probate of the proper county, in this state before the passage of this act, but not within the time required by law ;

H. 184. For the preservation of game and birds in the county of Henry.

J. H. MONTGOMERY,  
Chairman.

#### SIGNING BILLS.

The speaker of the house in the presence of the house immediately after their titles had been publicly read by the clerk, signed the bills, whose titles are set out in the foregoing report of the committee on enrolled bills.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT,        }  
OFFICE OF THE GOVERNOR,                                }  
MONTGOMERY, December 14th, 1894. }

Mr. Speaker:

In accordance with joint resolution and by direction of the governor, I have the honor to return for correction, H B. 250 and 159.

Very respectfully,  
HARVEY E. JONES,  
Rec. Secty.

#### REPORT OF CONFERENCE COMMITTEE.

Mr. Speaker:

The committee of conference to which was referred the disagreement of the two houses on senate amendments to house bill 451, to incorporate the Phenix City Railway Company, define its rights, privileges, powers and franchises, have had same under consideration and beg leave to report that they recommend that the senate amendment No. 1, be amended by striking out therefrom at the end of said amendment the words, autho-

rized by the laws of the State, and as amended, recommend the passage of the amendments and the bill.

JOHN T. MILNER,  
W. J. SAMFORD,  
On part of senate.  
W. J. BOYKIN,  
CHAS. L. JINKS,  
On part of house.

#### CONFERENCE REPORT.

The house concurred in the foregoing report.

Yeas 64, nays 0.

Yeas :

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Gurtis, Dale, Davis, Deans, Ellis, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gibbons, Graham, Grant, Graves, Hill, John, Kelly, Killebrew, Knight, Kyle, Langley, Maples, Mastin, Meador, Meadows, Mahan, Mills, McCorvey, Perry, Prowell, Roach, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Willett—64.

#### REPORT OF CONFERENCE COMMITTEE.

Mr. Speaker:

The conferees of the senate and house on the disagreement of the houses on the amendment to house bill 9, having considered the same report,

That the senate do recede from said amendment.

ISAAC GRANT,  
SAM WILL JOHN,  
Of house.  
E. B. ALMON,

W. B. KEMP,  
J. M. BRUNER,

Of senate.

497  
CONFERENCE REPORT.

The house concurred in the foregoing report of the committee of conference.

Yeas 57, nays 0.

Yeas:

Messrs. Speaker, Barren, Beasley Beeson, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Franklin, Fuller, Fulton, Gibbons, Grant, Graves, Hearn, Jackson, Jinks, John, Kennedy, Knight, Kyle, Langley, Lipscomb, Manning, Mayfield, Meador, Meadows, Mahan, Mixon, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Scarborough, Seale, Summers, Tuck, Turner, Ward, Williams of Bullock, Williams of Henry—57.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate insists on its amendments and accedes to the house for a committee of conference on the bill,

H. 451. To incorporate the Phenix City Railway Company, define its rights, powers and franchises.

Committee on the part of the senate, Messrs. Samford. and Milner.

W. L. CLAY,  
Secretary.

REPORT OF CONFERENCE COMMITTEE.

MONTGOMERY, DEC. 14th, 1894.

We, the undersigned conferees in the matter of the house bill No. 280, report as follows : We recommend that the sente amendment be amended by striking out the word "two" where it occurs and the words "two and. one half" be inserted, so that the bill will read "two and one-half miles" of the Methodist church at Fairford.

H. AUSTILL,  
L. W. McRAE,  
MIMS WALKER,  
On part of the senate.  
EDWARD M. ROBINSON,  
B. O. TURNER,  
O. KYLE.  
On part of the house.

The house concurred in the foregoing conference report.

Yeas 62, nays 0.

Yeas:

Messrs. Speaker, Barron, Beasley, Bellinger, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ellis, Ewing, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Graves, Harris, Hearn, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Meador, Meadows, Mills, Mixon, Montgomery, McClusky, McCorvey, O'Brien, Ott, Patton, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Sanford, Savage, Scarborough, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Williams of Bullock, Williams of Henry—62.

Mr. John called up,

s. 119. To amend sections 2, 4 and 10 of an act approved February 28, 1889, and entitled an act to provide for the public printing of the state.

Mr. John offered amendments which were adopted and the bill

Was read a third time at length and passed—yeas 64, nays 0.

Yeas :

Messrs. Speaker, Barren, Beasley, Bellinger, Boykin, Brown of Conecuh, Brown, of Russell, Burks, Calhoun, Cameron, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ellis, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Gains, Gewin, Gibbons, Graham, Grant, Harris, Hearn, Hill, Jackson, Jinks, John, Kennedy, Knight, Kyle, Langley, Mastin, Mayfield, Meadows, Mahan, Mills, Mixon, McCorvey, McQueen, O'Brien, Perry, Rand, Reaves, Roach, Robinson, Rogers, Routon, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Greene, Summers, Tuck, Ward, Wheelless, Williams of Bullock—64.

H. 47. To provide for the payment of claims against the fine and forfeiture fund of Tuscaloosa county,

Was read a third time at length and passed—yeas 66, nays 0.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell,

Burks, Calhoun, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fletcher, Ford, Forman, Franklin, Fuller, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jinks, Kelly, Kennedy, Killebrew, Langley, Maples, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, McCorvey, Patton, Perry, Reaves, Roach, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry—66.

On motion of Mr. John the rules were suspended and senate bills on the calendar were taken up.

s. 75. To prescribe the duty of tax collectors in collectors in collecting taxes in Bullock county, and to repeal sections 533, 534, 535 and 537 of the code as to Bullock county,

Was read a third time at length and passed—yeas 61, nays 0.

Yeas:

Messrs. Banks, Beasley, Beeson, Bellinger, Brown of Hussell, Burks, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Fielding, Fleming, Fletcher, Ford, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Jinks, John, Kelly, Kennedy, Killebrew, Kyle, Maples, Mayfield, Meadows, Mahan, Mills, McCorvey, McQueen, O'Brien, Ott, Reaves, Roach, Robbins, Robinson, Rogers, Routon, Savage, Scarborough, Seale, Smith Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Wheelless, Whitten Willett, Williams of Bullock, Williams of Henry—61.

s. 56. To make fences built with barbed wire in Mobile county lawful fences and to fix the way in which such fences may be built,

Was read a third time, at length, and passed—yeas 68, nays 0.

Yeas:

Messrs. Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant,



Graves, Hill, Jackson, Jinks, John, Killebrew, Knight, Kyle, Mastin, Mayfield, Meadows, Mahan, Mills, McCorvey, McQueen, O'Brien, Ott, Patton, Prowell, Rand, Roach, Robbing, Robinson, Rowe, Routon, Sanford, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Ward, Wheelless, Williams of Bullock, Williams of Henry—68.

s. 30. To regulate and prescribe the manner of electing the county commissioners of Bibb county.

On motion of Mr. John the bill was postponed until after the recess.

s. 5. To require the clerk of the circuit court of Choclaw county to make out and keep a general index of the records of his office,

Was read a third time at length, and passed—yeas 61, nays 1.

Yeas:

Messrs. Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Russell, Burks, Burns, Camp, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, John, Kelly, Knight, Kyle, Langley, Lipscomb, Manning, Maples, Mayfield, Meadows, Mahan, Mills, Montgomery, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rabb, Rand, Roach, Robbins, Robinson, Routon, Sanford, Scarborough, Smith of Autauga, Smith of Mobile, Summers, Taylor, Turner, Ward, Williams of Bullock, Williams of Henry—61.

Nays:

Mr. Hearn.

s. 40. To provide for the entry of payment of the purchase money recited in conveyances of property on the margin of the record of such conveyances,

Was indefinitely postponed.

s. 48. To change the time of holding the chancery-courts for the counties of Randolph, Chambers, Lee, Tallapoosa and Coosa

Was read a third time, at length, and passed—yeas-67, nays-0.

Yeas:

Messrs. Beasley, Beeson, Bellinger, Boykin, Brown off

Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cook of Talladega, Curtis, Pale, Ewing, Fleming, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Grant, Graves, Harris, Hearn, Hill, Kelly, Kennedy, Killebrew, Kyle, Langley, Maples, Mayfield, Meador, Meadows, Mahan, McClusky, McCorvey, Patton, Perry, Prowell, Rand, Reaves, Roach, Rogers, Rowe, Routon, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Ward, Wheelless, Williams of Bullock, Williams of Henry—67.

s. 52. To require the production of books and writings in actions at law,

Was read a third time at length and passed—yeas 63, nays 0.

Yeas:

Messrs. Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Dedans, Ellis, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Hill, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Mahan, Mills, Montgomery, McClusky, McCorvey, McQueen, Patton, Perry, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Mobile, Taylor, Ward, Willett, Williams of Bullock, Williams of Henry—63.

s. 53. To authorize the chancellor, judge or register to require the complainant to give bond before a receiver is appointed,

Was read a third time, at length, and passed—yeas 63, nays 0.

Yeas :

Messrs. Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Hill, Jinks, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Mahan, Mills, Montgomery, McClusky, McCorvey, McQueen, Patton, perry, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Sanford, Savage, Scarborough, Smith of

Autauga, Smith of Mobile, Taylor, Wheelless, Willett, Williams of Bullock, Williams of Henry—63.

s. 178. To confirm the incorporation of the Manassas Club of Mobile, Alabama, and to amend its charter

Was read a third time, at length, and passed—yeas-55, nays 0.

Yeas :

Messrs. Speaker, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Campy Cook of Talladega, Cook of Wilcox, Curtis, Dale, Ewing, Fielding, Fleming, Fletcher, Franklin, Fuller, Fulton, Grains, Gewin, Gibbons, Grant, Graves, Jackson, Jinks, John, Kelly, Killebrew, Knight, Kyle, Manning, Maples, Mayfield, Meadows, Mahan, Mixon, McCorvey, O'Brien, Ott, Patton, Roach, Robbins, Robinson, Rogers, Routon, Savage, Scarborough, Scale, Smith of Mobile, Turner, Wheelless, Willett, Williams of Bullock—55.

s.89. To establish the Wyndam Creek School District, in Lowndes county,

Was read a third time at length and passed—yeas 53, nays 0.

Yeas:

Messrs. Banks, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cole, Cook of Talladega, Cook of Wilcox, Dale, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Hearn, Langley, Manning, Maples, Mayfield, Meadows, Mahan, Mills, Mixon, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Scarborough, Seale, Smith of Greene, Summers, Tuck, Wheelless, Williams of Bullock—53.

H. 502. To incorporate Coffee Springs Camp Grounds, in Geneva county ; to authorize and empower the trustees, cabin owners and tent holders to pass and enforce rules and regulations, to maintain and preserve good order within one mile of said Camp Grounds, and to control its management,

Was read a third time, at length, and passed—yeas 55 ; nays 0.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Brown of Russell, Burks, Cole, Cook of Talladega, Cook

of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Forman, Franklin, Fuller, Gains, Gewin, Gibbons, Graham, Graves, Hill Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Langley, Manning, Maples, Mastin, Mayfield, Mills, O'Brien, Ott, Patton, Prowell, Roach, Robbins, Robinson, Routon, Sanford, Savage, Smith of Greene, Summers, Tuck, Ward, Wheelless, Williams of Bullock—55.

H. 579. To ratify and confirm the charter of Montgomery Street Railway, a corporation chartered under the general laws of this state, and to confer additional powers on said Montgomery Street Railway,

Was read a third time, at length, and passed—yeas 55, nays 0.

Yeas:

Messrs. Barren, Beasley, Beeson, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Cook of Talladega, Curtis, Dale, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Graham, Grant, Graves, Hearn, Jackson, Jinks, John, Kennedy, Killebrew, Knight, Langley, Maples, Mastin, Meadows, Mahan, Mixon, O'Brien, Ott, Patton, Perry, Rabb, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Smith of Greene, Summers, Wheelless—55.

s. 46. For the relief of James J. S. Willis as the collector of Barbour county, Alabama,

Was read a third time at length, and passed—yeas 55, nays 3.

Yeas :

Messrs. Speaker, Barren, Beeson, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Ellis, Ewing, Fleming, Fletcher, Forman, Franklin, Fulton, Gains, Gibbons, Graham, Grant, Graves, Harris, Jackson, Kelly, Kennedy, Killebrew, Knight, Langley, Lipscomb, Mastin, Meadows, Mahan, Mills, Mixon, O'Brien, Patton, Perry, Reaves, Robbins, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Screws, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Willett, Williams of Bullock—55.

Nays: Messrs. Fuller, Hill, Mayfield—3.

Mr. Willett moved to reconsider the vote by which, s.

46 was passed, and under the rules the motion to reconsider went over till to-morrow morning.

s.23. To incorporate Ross Institute at Heflin, in Cleburne county,

Was read a third time at length and passed—yeas 58, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Brown, of Conecuh, Brown of Russell, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Ellis, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gibbons, Graham, Grant, Graves, Harris, John, Kelly, Kennedy, Killebrew, Langley, Lipscomb, Mastin, Mayfield, Meador, Meadows, Mahan, Mixon, O'Brien, Ott, Patton, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Williams of Bullock—58.

#### AFTERNOON SESSION.

The house met pursuant to adjournment.

A quorum was present.

Resolutions were offered and -adopted as follows :

By Mr. Jackson—

Resolved, By the house, the senate concurring, that the speaker of the house and the president of the senate be requested to erase their names from house bill 159, for the purpose of amendment.

By Mr. Gains—

Resolved, By the house, the senate concurring, that the speaker of the house and the president of the senate be instructed to erase their names from house bill No. 250, that the same may be amended.

#### MESSAGE FROM THE SENATE.

Mr Speaker:

The senate has passed the following house bills :

H. 73. To confer upon the mayor of the city of Bessemer, Alabama, the power and jurisdiction of a justice of the peace in the corporate limits and police jurisdiction of said city;

H. 168. To establish the Rodgers School District in Pike county;

H. 334. To fix the fees of the judge of the county court of Clarke county ;

H. 295. To create a separate school district in Cherokee county, Alabama, to be known as Taff School District, and to define the boundaries thereof;

And has amended as therein shown, and as amended, has passed the house bill:

H. 521. To establish a new charter for the town of Lanett, in Chambers county ;

And has adopted a joint resolution herewith sent, requesting the governor to return to the senate the senate bill 35.

The president of the senate having erased his signature from the house bill H. 118, I herewith transmit the same to the house to enable you to erase your signature therefrom.

W. L. CLAY,  
Secretary.

SENATE MESSAGE.

The house concurred in the senate amendment to H. 521. To establish a new charter for the town of Lanett, in Chambers county,

Yeas 57, nays 0.

Yeas :

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cole, Cook of Talladega, Davis, Franklin, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, John, Kelly, Kennedy, Killebrew, Langley, Maples, Mayfield, Meadows, Mahan, Mills, Mixon, Montgomery, McQueen, O'Brien, Perry, Prowell, Rabb, Rand, Roach, Bobbins, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Scarborough, Screws, Smith of Butler, Taylor, Tuck, Ward, Wheelless, Willett, Williams of Henry—57.

The house adopted the joint resolution requesting the governor to return to the senate senate bill 35.

The speaker of the house in the presence of the house erased his signature from house bill 118.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the house joint resolution requesting the speaker of the house and the president of the senate to erase their signatures from the house bill 250.

And has concurred in the house joint resolution requesting the speaker of the house and the president of the senate to erase their signatures from the house bill 159;

And has passed the house bills,

H. 439. For the improvement of the public roads in Bullock county;

H. 399. To authorize the mayor and aldermen of the town of New Decatur, in Morgan county, Alabama, to divide the town of New Decatur into wards ;

H. 188. To confirm, amend and enlarge the charter of the Bessemer Land and Improvement Company ;

H. 248. To repeal an act to authorize the board of mayor and aldermen of the city of Jasper to negotiate a loan for the purpose of improving, grading and draining the streets, avenues and alleys of said city, establishing water works, and the payment of the city's indebtedness;

And has amended as therein shown and, as amended, has passed the house bills :

H. 245. To incorporate the Alabama Mutual Fire Insurance Company, and to define its rights, powers and franchises;

H. 497. To amend and ratify the charter of the East Alabama Fertilizer Company, incorporated in Barbour county, Ala., under the general statutes of said state, and to extend and enlarge the powers of said company ;

And has adopted the joint resolution herewith sent, requesting the president of the senate and the speaker of the house to erase their signatures from the house bill 118 for the purpose of amendment;

And the president of the senate has erased his signature from the house bills 118, 159 and 250.

W. L. CLAY,  
Secretary.

## SENATE MESSAGE.

The house concurred in the senate amendments to H.

245 whose title is set out above—yeas 55, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Cook of Talladega, Dale, Deans, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Grant, Graves, Hearn, Jackson, John, Knight, Langley, Lipscomb, Manning, Mastin, Meador, Meadows, Mahan, Mills, Mixon, McQueen, Perry, Reaves, Roach, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Screws, Smith of Butler, Summers, Turner, Ward, Williams of Bullock, Williams of Henry—55.

The house concurred in the senate amendment to H.

497 whose title is set out above—yeas 53, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Cook of Talladega, Dale, Fletcher, Forman, Franklin, Fulton, Gains, Gibbons, Grant, Graves, Harris, Hearn, Hill, Jackson, Langley, Lipscomb, Manning, Mastin, Meador, Meadows, Mahan, Mills, Mixon, McQueen, Prowell, Rabb, Reaves, Roach, Robinson, Rogers, Routon, Sanford, Savage, Scarborough, Screws, Smith of Mobile, Summers, Turner, Ward, Williams of Henry—53.

And the speaker of the house erased his signature from H. 159 and H. 250.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the report of the committee of conference on the disagreement of the two houses on the house bill,

H. 280. To prohibit the selling, bartering, exchanging or giving away of spirituous, vinous or malt liquors, intoxicating bitters or beverages within four miles of the Methodist church at Fairford in Washington county;

And has amended, and as amended has passed,

H. 118. To amend section 3610 of the code of Alabama.

W. L. CLAY,  
Secretary.



## SENATE MESSAGE.

The house concurred in the senate amendment to H. 118—yeas 53, nays 0;

Yeas:

Messrs. Speaker, Barren, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Davis, Deans, Ewing, Fielding, Fletcher, Franklin, Fuller, Gains, Gibbons, Graham, Grant, Graves, Harris, Jackson, John, Kelly, Knight, Langley, Lipscomb, Manning, Maples, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, McCorvey, Sand, Reaves, Roach, Robinson, Rogers, Rowe, Sanford, Savage, Smith of Mobile, Summers, Tuck, Turner, Wheelless, Williams of Bullock.—53.

## BILLS ON THIRD READING.

On a continuation of the roll call, bills were called up and disposed of as follows :

By Mr. Savage—

H. 369. Requiring any person or persons holding claims against the fine and forfeiture fund in Cherokee county, to register same within ninety days after the passage of this act,

Was read a third time at length and passed—yeas 59, nays 0.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellingier, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cook of Talladega, Dale, Davis, Deans, Fleming, Fletcher, Forman, Franklin, Fulton, Gibbons, Grant, Graves, Hill, Jackson, Jinks, John, Langley, Lipscomb, Mastin, Meadows, Mahan, Mixon, Montgomery, McCorvey, McQueen, O'Brien, Patton, Perry, Prowell, Rand, Reaves, Roach, Robinson, Rowe, Routon, Sanford, Savage, Scarborough, Smith of Butler, Smith of Mobile, Summers, Taylor, Tuck, Ward, Willett, Williams of Bullock, Williams of Henry—59.

By Mr. Scarborough—

H. 440. To relieve Worth Whiteside, of Calhoun county, Alabama, a minor, of the disabilities of non-age,

Was read a third time at length, and passed—yeas 57, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beeson, Bellinger, Boykin, Brown of Russell, Burks, Calhoun, Cole, Cook of Talladega, Cook of Wilcox, Dale, Deans, Ewing, Fielding, Fletcher, Franklin, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Harris, John, Kennedy, Knight, Langley, Mastin, Meador, Meadows, Mahan, Mixon, McCorvey, O'Brien, Ott, Patton, Perry, Prowell, Roach, Robbins, Robinson, Rogers, Routon, Savage, Scarborough, Screws, Smith of Mobile, Summers, Taylor, Tuck, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry—57.

By Mr. Screws—

H. 354. To refund to Mrs. N. E. Young one hundred and twenty dollars, paid into the State Treasury by her for the purchase of certain land, which had been bid in by the state for taxes, but which were erroneously so sold and bid in,

Was read a third time at length and passed—yeas 58, nays 0.

Yeas:

Messrs. Speaker, Barren, Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Burks, Calhoun, Camp, Cole, Dale, Davis, Deans, Fleming, Fletcher, Forman, Franklin, Fulton, Gains, Gibbons, Grant, Graves, Harris, Jackson, John, Kelly, Kennedy, Killebrew, Langley, Maples, Mastin, Mahan, Mills, Mixon, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rand, Roach, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Screws, Smith of Butler, Smith of Mobile, Taylor, Tuck, Ward, Wheelless, Willett, Williams of Bullock—58.

By Mr. Smith of Butler—

H. 518. To amend sections 1 and 2 of an act to incorporate the town of Rutledge in the county of Crenshaw and State of Alabama, approved February 11, 1893,

Was read a third time, at length, and passed—yeas 63, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Fielding, Fleming, Fletcher, Franklin, Fulton, Gains, Gibbons, Graham, Grant,

Graves, Jackson, Jinks, Kelly, Kennedy, Killebrew, Knight, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mahan, Mills, Mixon, McCorvey, Reaves, Roach, Robbins, Robinson, Rowe, Sanford, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry—63.

By Mr. Smith of Mobile—

H. 423. To declare Charles K. Foote and Charles G. Foote, who now reside in the county of Washington, near the boundary line between the county of Washington and the county of Mobile, citizens of the county of Mobile, and to authorize them to assess certain of their real property on or near said boundary line with the tax assessor of Mobile county, and to pay their taxes on it to the tax collector of Mobile county,

Was read a third time at length, and passed—yeas 59, nays 0.

Yeas:

Messrs. Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Cook of Talladega, Dale, Davis, Deans, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Gains, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jackson, Jinks, John, Kelly, Killebrew, Knight, Langley, Lipscomb, Manning, Maples, Meadows, Mahan, Mixon, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rand, Reaves, Roach, Robbing, Robinson, Rogers, Rowe, Rouston, Sanford, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Willett, Williams of Bullock—59.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended by way of a substitute and as amended has concurred in the house joint resolution on adjournment received to-day.

W. L. CLAY,  
Secretary.

## SENATE MESSAGE.

The house concurred in the amendment to the house resolution.

By Mr. Summers—

H. 381. To further regulate the fees of constables for attending justice court in Lawrence county,

Was read a third time at length, and passed—yeas 66, nays 0.

Yeas:

Messrs. Banks, Beasley, Beeson, Boykin, Calhoun, Cook of Talladega, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Gibbons, Graham, Grant, Graves, Harris, Jinks, John, Kelly, Killebrew, Langley, Lipscomb, Maples, Mastin, Meador, Meadows, Mahan, Mills, Mixon, McCorvey, O'Brien, Patton, Prowell, Rand, Roach, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Scarborough, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry—66.

By Mr. Tuck—

H. 363. To allow a county surveyor of any county in this state to act as county surveyor of an adjacent county under certain conditions.

Was read a third time at length and passed—yeas 56 nays 0.

Yeas:

Messrs. Speaker, Banks, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cook of Talladega, Curtis, Dale, Davis, Ellis, Ewing, Fletcher, Forman, Franklin, Fuller, Gains, Graham, Graves, John, Kelly, Knight, Langley, Mahan, Mills, Mixon, McCorvey, McQueen, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Screws, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Williams of Bullock—56.

By Mr. Turner—

H. 400. To repeal an act entitled an act to amend "an act to more effectually provide for the payment of grand and petit jurors in the county of Washington," approved February 19th, 1875, and to repeal an act entitled an act "to more effectually provide for the payment of grand

and petit jurors of the county of Washington,

Was read a third time, at length, and passed—yeas-54. nays 0.

Yeas:

Messrs. Banks, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cole, Cook of Talladega, Deans, Ewing, Fielding, Fletcher, Forman, Franklin, Fulton, Graham, Grant, Graves, Harris, Hill, Jackson, John, Kelly, Knight, Langley, Lipscomb, Manning, Maples, Mastin, Meadows, Mahan, Mixon, McCorvey, O'Brien, Perry; Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Scarborough, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Williams of Bullock—54.

By Mr Ward—

H. 344. To fix the time of pleading in the third judicial circuit of Alabama,

Was read a third time, at length, and passed—yeas 56; nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cole, Cook of Talladega, Dale, Deans, Ewing, Fielding, Fleming, Fletcher, Franklin, Fuller, Fulton, Gibbons, Graham, Grant, Graves, Jackson, John, Kelly, Knight, Langley, Lipscomb, Mayfield, Meadows, Mills, Mixon, McCorvey, O'Brien, Perry, Prowell, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Scarborough, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry—56.

H. 255. To provide for the compensation of state witnesses in Cleburne county,

Was read a third time, at length, and passed—yeas 55, nays 0.

Yeas:

Messrs. Speaker, Banks, Beeson, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Fielding, Fleming, Fletcher, Forman, Franklin, Fulton, Gains, Gibbons, Graham, Grant, Graves, Harris, Jinks, John, Knight, Langley, Manning, Maples, Mastin, Meadows, Mahan, Mills, Mixon, Mc-

Corvey, O'Brien, Patton, Perry, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Scarborough, Smith of Mobile, Taylor, Ward, Wheelless, Williams of Bullock—55.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bills, your signature thereto is requested :

s. 75. An act to prescribe the duty of tax collector in collecting taxes in Bullock county, and to repeal sections 533, 534, 535 and 537 of the code, as to Bullock county;

s. 53. An act to authorize the chancellor, judge, or register to require the complainant to give bond before a receiver is appointed ;

s. 48. An act to change the time of holding the chancery courts for the counties of Randolph, Chambers, Lee, Tallapoosa and Coosa ;

s. 5. An act to require the clerk of the circuit court of Choctaw county to make out and keep a general index of the records of his office ;

s. 178. An act to confirm the incorporation of the Manassas Club of Mobile, Alabama, and to amend its charter;

s. 56. An act to make fences built with barbed wire in Mobile county lawful fences, and to fix the way in which such fences may be built;

s. 125. An act to amend section two of an act entitled an act to amend sections one and twelve of an act entitled an act to regulate the taking of oysters from the public reefs in the state for sale or planting, approved December 10th, 1892, and to repeal an act entitled an act to regulate the planting and taking of oysters in the waters of this state, approved February 18th, 1891, which act hereby amended was approved February 14, 1895;

s. 23. An act to incorporate Ross Institute at Heflin, Cleburne county;

s. 89. An act to establish the Wyndham Creek School District in Lowndes county.

W. L. CLAY,  
Secretary.

## SIGNING BILLS.

The speaker of the house in the presence of the house immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set forth in the above senate message.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bill, your signature thereto is requested :

s. 119. To amend, sections 2, 4, 5, 10 and 11 of an act approved February 28, 1889, and entitled an act to provide for the public printing of the state.

## SIGNING OF BILLS.

The speaker of the house in the presence of the house, and immediately after its title had been publicly read by the clerk, signed the bill, the title to which is set out in the foregoing senate message.

## REPORT OF SPECIAL COMMITTEE.

Mr. Speaker:

Your special committee appointed to "enquire what rights, if any, are reserved to the state in the supreme court reports that have been or may be published under the existing contract, the cost per volume, the number of volumes delivered to the state, and the number sold by the publishers, and any all other facts relating to the publication of such reports, and whether said contract has been violated in letter or spirit in any particular," have enquired into these matters and considered the same and respectfully report:

The state is the owner or proprietor of all reports of decisions made by the supreme court, and has been for many years, and the present contractors to publish said reports knew this at the time they made their bid and contract. The maximum cost or price fixed by law for printing and binding an edition of seven hundred copies of every volume of said reports is \$2.05 per copy. The

Brown Printing Company contracted with the state to print and bind seven hundred copies of every volume at 60% off from this maximum, in other words, 82 cents per copy or \$574.00 for said edition.

Under this contract they admit that; they delivered to the state of the 95th Ala., 709 copies; have on hand nine copies and have sold ten copies ; of the 96th Ala. they delivered to the state 581, distributed to judges and others entitled thereto by law 131 copies ; on hand 21 copies ; sold 22 copies.

Of the 97th Ala. they delivered to the state 581; distributed 131; have on hand 47 : sold 43 ; and of the 98th Ala. they delivered to the state 581; distributed 131; have on hand 62 and sold 34.

It will be seen that in publishing these four volumes of the reports, they have sold 119 copies thereby depriving the state of the opportunity of selling that number of books, and receiving therefor \$297.50, and they have on hand ready to sell 139 copies of the four volumes, and thereby injuring the state, which will have on hand for sale, books which the state has paid this company for making, and which this company by this illegal conduct renders comparatively worthless.

The contractors should be required to pay over all money derived from the sale of these reports and be stopped from selling any more.

From those competent to judge of such matters, we are informed that the 95th, 96th, 97th, and 98th volumes are all bound in a split-leather called "skivers" whereas, the contract required them to be bound in law sheep. The contractors deny this but an examination of the leather on the 95th, 96th, 97th and 98th Ala. Reports and a comparison of it, with the leather on 99th Ala., convinces us that they bound those four volumes in a much inferior quality of leather to that which they were bound to do, thus "making" out of the state, contrary to law and right, about \$476.00. Several matters of minor importance connected with this printing contract have come to the knowledge of your committee, which demonstrate the importance of amending the law governing the letting out of the state printing and binding, so as to better protect the state from wrong and imposition, and to pay for only the work done for the state.



Your committee have, therefore, prepared amendments which they recommend be engrafted on senate bill 119, now before the house, which we believe will avoid this trouble in the future and save the state thousands of dollars.

W. J. BOYKIN.  
SAM'L WILL JOHN.

REPORT OF COMMITTEE ON ENROLLED BILLS.

HOUSE OF REPRESENTATIVES.

Mr. Speaker:

The committee on enrolled bills report the following, bills correctly enrolled:

H. 328. To require the board of county commissioners of Washington county, Alabama, to divide said county into four commissioners districts, and to subdivide the same into a convenient number of election precincts ;

H . 228. To create four commissioners districts in Lee, county, Alabama, and to provide for the election of four commissioners thereof;

H. 535. To require the court of county commissioners of Jefferson county to draw their warrant on the treasurer of said county in favor of M. A. Mason, the register of said county, for services as registrar as herein specified;

H. 334. To fix the fees of the judge of the county court of Clarke county ;

H. 248. To repeal an act to authorize the board of mayor and aldermen of the city of Jasper to negotiate a loan for the purpose of improving, grading and draining the streets, avenues and alleys of said city, establishing water works, and the payment of the city's indebtedness;

H. 280. To prohibit the selling, bartering, exchanging or giving away spirituous, vinous or malt liquors, intoxicating bitters or beverages, within two and one-half miles of the Methodist church at Fairford, in Washington county ;

H. 154. To require persons operating ore or coal mines, who pay for mining the same by weight, to have; such ore or coal honestly and carefully weighed ;

H. 399. To authorize the mayor and aldermen of the town of New Decatur, in Morgan county, Alabama, to divide the town of New Decatur into wards ;

H. 41. To regulate the issue of garnishments and the proceedings thereon in the county of Morgan ;

H. 9. To give the owners of lands or their assignees a lien for the stipulated price, or value, commonly known as stumpage, of timber sold from said lands, and to provide for the enforcement thereof ;

H. 389. To amend section 3532 of the code of Alabama;

H. 428. To fix the time and place of holding circuit court in the third judicial circuit;

H. 393. To prevent stock from running at large in certain portions of beat No. 3 (three) in the county of Hale, State of Alabama ;

H. 141. To prohibit the selling, giving away, or disposing of spirituous, vinous or malt liquors, or of alcoholic bitters, cordials or beverages of any kind in St. Clair county;

H. 118. To amend section 3610 of the code of Alabama ;

H. 159. To allow stock to run at large in a part of beat five in Lee county, Alabama;

H. 459. Authorizing the abstracts of the burnt records of Franklin county to be used in evidence where the original instrument is destroyed.

J. H. MONTGOMERY,  
Chairman.

#### SIGNING BILLS.

The speaker of the house in the presence of the house signed the bills whose titles are set out in the foregoing report of committee on enrolled bills, immediately after their titles had been publicly read by the clerk.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

#### HOUSE OF REPRESENTATIVES.

Mr. Speaker:

The committee on enrolled bills report the following bills correctly enrolled:

H. 397. To confirm, amend and enlarge the charter of the Chattahoochee Brewing Company;

H. 95. To provide for the entry of payment of the purchase money recited in conveyance of property on the margin of the record of such conveyance ;

H. 405. To provide for the empanelling of petit juries and grand Juries, and for the trial of criminal causes, in the Bessemer division of the circuit court of Jefferson county, holden at Bessemer under an act to provide for the holding of terms of the circuit court of the tenth judicial circuit for the trial of civil causes at Bessemer in and for certain portions of Jefferson county therein mentioned, approved February 21st, 1893.

J. H. MONTGOMERY,  
Chairman.

#### SIGNING BILLS.

The speaker of the house in the presence of the house signed the bills whose titles are set out in the foregoing report of the committee on enrolled bills immediately after their titles had been publicly read by the clerk.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

##### HOUSE OF REPRESENTATIVES.

Mr. Speaker:

The committee on enrolled bills, report the following correctly enrolled :

H. 69. To amend Section (320) three hundred and twenty of the Code of 1886 ;

H. 417. To establish a separate school district, to be known as Boaz District, in Mashall county ;

H. 554. To regulate and provide for the trial of misdemeanors in Washington county ;

H. 251. To amend section eight of an act entitled an act to amend section 2 and paragraphs 5, 7, 9 and 10, and section 4 and sections 9 and 10 of an act entitled an act to provide for a charter for the city of Jasper, in Walker county, Alabama, approved February 6th, 1889 ;

H. 74. To provide, for the making and maintaining the public roads and bridges in Jefferson county, Alabama ;

H. 479. To incorporate the city of Ozark, in the county of Dale ;

H. 536. To incorporate the town of Goodwater, Coosa county, Alabama;

H. 451. To incorporate the Phenix City Railway Company ; to define the rights, privileges, powers and franchises ;

H. 82. To establish a Board of Revenue for Lowndes county and define the powers and duties of said Board of Revenue.

J. H. MONTGOMERY,  
Chairman.

#### SIGNING BILLS.

The speaker of the house in the presence of the house immediately after their titles had been publicly read by the clerk signed the bills whose titles, are set out in the foregoing report of the committee on enrolled bills.

#### MESSAGE FROM THE SENATE.

Mr Speaker:

The senate has concurred in the house amendment to the senate bill,

s. 119. To amend sections 2,4, 5, 10 and 11 of an act approved February 28, 1889, and entitled an act to provide for the public printing of the State ;

And has amended as herein shown and, as amended, has passed the following house bills :

H. 250. To create a seperate school district in the city of Jasper, Alabama, to define the boundaries thereof, and provide for the maintenance of schools therein ;

H. 210. To incorporate the Alabama State Mutual Assurance company and to define its rights, powers, and franchises ;

H. 159. To allow stock to run at large in a part of beat five in Lee county, Alabama;

H. 56. To regulate and prescribe the manner of electing county commissioners of Calhoun and Marshall counties ;

And has passed the house bills,

H. 535. To require the court of county commissioners of Jefferson county to draw their warrant on the treasurer of said county in favor of M. A. Mason, the registrar of said county, for services as herein specified ;

H. 228. To create four commissioners districts in Lee county, Alabama, and to provide for the election of four commissioners thereof;

H. 328. To require the board of county commissioners of Washington county, Alabama, to divide said county into four commissioners districts and to sub-divide the same into a convenient number of election precincts .

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The house concurred in the senate amendments to the following bills :

H. 250. To create a separate school district in the city of Jasper, Alabama, to define the boundaries thereof, and provide for the maintenance of schools therein,

Yeas 61, nays 0.

Yeas:

Messrs. Speaker, Banks, Barron, Beasley, Beeson, Bellinger, Boy kin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fletcher, Forman, Franklin, Fulton, Gains, Gewin, Graham, Grant, Graves, Hearn, John, Kelly, Killebrew, Knight, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mixon, McCorvey, Perry, Prowell, Rand, Reaves, Roach, Robinson, Rogers, Routon, Sanford, Savage, Screws, Smith of Butler, Smith of Mobile, Tuck, Ward, Wheelless, Whitten, Willett, Williams of Henry—61.

Also,

H. 210. To incorporate the Alabama State Mutual Assurance Company and to define its rights, powers and franchises,

Yeas 61, nays 0.

Yeas:

Messrs. Speaker, Banks, Barron, Beasley, Beeson,

Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fletcher, Forman, Franklin, Fulton, Gains, Gewin, Graham, Grant, Graves, Hearn, John, Kelly, Killebrew, Knight, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mixon, McCorvey, Perry, Prowell, Rand, Reaves, Roach, Robinson, Rogers, Routon, Sanford, Savage, Screws, Smith of Butler, Smith of Mobile, Tuck, Ward, Wheelless, Whitten, Willett, Williams of Henry—61.

Also,

H. 159. To allow stock to run at large in a part of beat five in Lee county, Alabama,

Yeas 58, nays 0.

Yeas :

Messrs. Speaker, Barron, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ewing, Fletcher, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Hearn, Hill, Jackson, John, Killebrew, Langley, Lipscomb, Manning, Maples, Mastin, Meador, Meadows, Mahan, Mixon, Perry, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Scarborough, Screws, Smith of Butler, Smith of Mobile, Taylor, Tuck, Ward, Wheelless, Willett, Williams of Bullock—58.

Also,

H. 56. To regulate and prescribe the manner of electing county commissioners of Calhoun and Marshall counties,

Yeas 55, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beeson, Boykin, Brown of Russell, Calhoun, Camp, Cole, Cook of Talladega, Dale, Davis, Ewing, Fletcher, Forman, Franklin, Gains, Gewin, Gibbons, Graham, Grant, Graves, Hill, Kelly, Killebrew, Langley, Lipscomb, Maples, Mastin, Meadows, Mahan, Mixon, McCorvey, Perry, Rabb, Rand, Reaves, Roach, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Scarborough, Smith of Butler, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry—55.

Mr. Speaker:

I am instructed to notify the house that Mr. Nolen has been relieved from service on the joint committee on framing a new assessment law, by his request and Mr. Rogers appointed in his stead.

W. L. CLAY,  
Secretary of senate.

On motion the house adjourned until 10 o'clock a.m. Tuesday, January 22, 1895.

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TWENTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,

January 22, 1895.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Ott of the house.

A quorum was present.

The committee on revision of the journal reported the journal of yesterday, correct.

LEAVE OF ABSENCE

Leave of absence was granted to Mr. Barren till tomorrow, Mr. Graham for 3 days and Mr. O'Brien until January 25th.

OATH OF OFFICE.

Hon. J. R. Wood, member elect from the county of Macon, to fill the vacancy caused by the death of Hon. P. S. Holt, appeared, presented his credentials and took his seat as a member. The oath of office was thereupon administered to him by the speaker.

RESOLUTIONS.

The following resolutions were introduced and referred to the committee on rules, as follows :

By Mr. Maples—

Resolved, That the speaker appoint a committee of

three to which all special bills for the relief of one or more citizens of the state or bills of like character that have received or may hereafter receive favorable reports from committees shall be submitted and consolidated by them into one bill to be designated as sundry relief bill, and reported to the house at as early a day as possible.

By Mr. Dale—

Whereas the Democratic party of the state of Alabama has for more than a quarter of a century stood for the rights of the people and has maintained the government in its integrity, since the people in their might under a democratic flag, wrested it from the hands of the "carpet baggar and spoiler, and whereas certain parties have seen proper in a sister state to make grave charges against the fair name of the state and the common honesty of its citizens, and whereas those charges are absolutely untrue, and are but the dying wails of a set of disappointed office seekers, and reiterated for political purposes by some whose greed for political office is so great as to lead them to dishonor the state of their birth ;

Therefore be it resolved, That this house condemn such conduct, and deems the same unworthy of any citizen of this fair state.

By Mr. Brooks—

Resolved by the house of representatives, the senate concurring, that a joint session of the two houses be held on Friday, 25th inst., at 4 o'clock p. m., in the hall of the house of representatives, and that the committee of the Cotton States and International Exposition of Atlanta, Ga., be, and they are hereby invited to address said joint-session in relation to the representation of this state at the coming exposition to be held at Atlanta.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended as therein shown, and as amended, has concurred in the house joint resolution requesting the governor to return to the senate house bill 41, in order that said bill may be amended.

W. L. CLAY,  
Secretary.



## SENATE MESSAGE.

The house concurred in the senate amendment to the above and foregoing house joint resolution.

## INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate committees, as follows :

By Mr. Smith of Autauga—

H. 667. To amend section 555 of the code, Ways and means ;

By Mr. Ewing—

H. 668. To authorize the people of Cherokee county to hold an election on the question of issuing bonds to build a free public bridge across Coosa river, in said county, and to authorize the court of county commissioners to issue bonds for the same,

Local legislation;

By Mr. Mastin—

H. 669. For the relief of Henry T. Gregg, of Chilton county,

Judiciary.

By Mr. Grant (with notice and proof)—

H. 670. To pay W. W. Waite, sheriff of Clarke county, for the removal of George W. White, charged with a felony, from LaFayette, in the state of Louisiana, to Grove Hill, in Clarke county, Alabama,

Appropriations;

By Mr. Beasley—

H. 671. To make the fees of bonded constables in the county of Covington the same as sheriff's fees when they perform the same or similar services,

Fees and claims;

By Mr. Burks—

H. 672. To provide for the election of officers of Cullman county in the event of vacancies,

Privileges and elections;

By Mr. Killebrew (by request)—

H. 673. To prevent hunting on land without written consent of owner or his agent in Dale county,

Local legislation;

By Mr. Tuck—

H. 674. To provide the ways and means, to establish, open, improve, work and keep in good condition the public roads in Dallas county, Alabama,

Public roads and highways ;

By Mr. Franklin—

H. 675. To provide for the re-surveying, designating and locating the line between the counsies of Jackson and DeKalb,

Counties and county boundaries ;

By Mr. Rabb—

H. 676. To amend an act entitled an act to better provide for the keeping up the public roads of Escambia county, which became a law February 15th, 1893,

Public roads and highways ;

By Mr. Mills (with notice and proof)—

H. 677. For the relief of W. J. Ward, of Geneva county, Alabama,

Revision of laws;

Also,

H. 678. To authorize the governor to appoint a deputy constable in beat five, in Geneva county,

Revision of laws ;

By Mr. Smith of Greene—

H. 679. For the relief of justices of the peace, notaries public exercising the same jurisdiction and the same powers of justices of the peace and constables of Greene county, Alabama,

Revision of laws;

Also,

H. 680. To prevent hunting or fishing, entering upon or trespassing upon certain lands on the Black Warrior River in Greene county, in townships twenty-one and twenty-two, and ranges two and three east, after the owner or person in possession thereof shall have forbidden the same by notice posted on the lands or by publication in a newspaper published in said county,

Local legislation;

By Mr. Ward (with notice and proof) —

H. 681. For the relief of W. A. McLendon, sheriff of Henry county,

Appropriations;

By Mr. Williams of Henry—

H. 682. To authorize the board of mayor and aldermen. of the town of Dothan to issue and negotiate bonds of said town to an amount not exceeding twenty thousand dollars for establishing and maintaining water works, fire department, improving the streets of said town and for paying off the indebtedness of the town,  
Corporations;

Also,

H. 683. To amend subdivisions 4 of section 3, 3 of section 4, 58 of section 5, 59 of section 5, 5 of section 9 and section 10 of an act entitled an act ("To establish a new charter for the town of Dothan, in Henry county," approved Dec. 10th, 1890,

Corporations;

Also,

H. 684. To repeal an act to authorize the board of mayor and aldermen of the town of Dothan to negotiate a loan for the purpose of improving, grading and draining the streets, avenues and alleys of said town, establishing water works, fire department, electric light plant and the payment of the town's Indebtedness, and for other various improvements of said town, approved Feb. 16th, 1891,

Corporations;

Also,

H. 685. To create a separate school district in Henry county, to be known as Briar Creek School District, and to define the boundaries thereof,

Education;

Also,

H. 686. To amend section 984 of the code of 1886,

Education ;

Also (with notice and proof),

H.687. For the relief of W. T. Cureton, late sheriff of Henry county,

Appropriations ;

By Mr. John—

H. 688. To amend sections 17, 20, and 23 of an act entitled an act "To establish a new charter for the city of Birmingham," approved December 12th, 1890,

Corporations;

Also,

H. 689. To establish an inferior court of criminal

jurisdiction in the city of Birmingham, define its powers and provide for the appointment of a Judge and clerk thereof,

Judiciary;

Also,

H. 690. To limit the jurisdiction of justices of the peace and notaries public with the powers of justices of the peace in precincts twenty-one (21) and thirty-seven (37) in Jefferson county,

Revision of laws;

Also,

H. 691. To provide for making a jury roll for and to regulate the drawing of grand, and petit juries of Jefferson county, Alabama,

Judiciary;

Also,

H. 692. To prevent the sale of vinous, spirituous or malt liquors to or by any woman or in houses where single women board, lodge or live,

Temperance;

Also,

H. 693. To amend section 3739, (4306) of the code of Alabama,

Judiciary;

Also,

H. 694. To execute section 23 of Art. XIV of the constitution, prohibiting the granting of free passes to the members of the general assembly and state officers by railroads and other transportation companies,

Judiciary;

By Mr. Montgomery—

H. 695. To authorize the sentencing of convicted felons in Jefferson county, Alabama, where the sentence as punishment does not exceed five years, to the penitentiary or to hard labor for the county,

Penitentiary and criminal administration ;

Also,

H. 696. To alter and amend the law relating to the court of county commissioners of Jefferson county, to authorize the election of a clerk of said court and to repeal section 819 and 827 of the code of Alabama, so far as the same relates to the county of Jefferson,

Revision of laws;

Also,

H. 697. To incorporate the Southern Coal Company, Corporations ;

By Mr. Kelly—

H. 698. To require railroads carrying passengers to-keep an office, ticket agent and waiting rooms in incorporated towns and villages of five hundred or more inhabitants ,

Commerce and common carriers ;

By Mr. Montgomery—

H. 699. To make it a misdemeanor for any person to hunt upon the lands of another without having first obtained the consent of the owner thereof in Jefferson county,

Local legislation;

By Mr. Fulton—

H. 700. To prevent and punish entering or going upon the enclosed premises of another person in Jefferson county, Alabama, without legal cause or good excuse,

Local legislation;

By Mr. Lipscomb—

H. 701. To join counts for buying, selling, receiving or concealing, or aiding in the concealment of stolen property, knowing the same to have been stolen, with counts for burglary, or grand larceny in different counts in the same indictment without regard to the value of the property so bought, sold, received or concealed,

Revision of laws ;

Also,

H. 702. To make the wife a competent witness for or against her husband in all proceedings in any of the courts of this state for abonding his family under the vagrancy statutes,

Judiciary;

By Mr. Ott—

H. 703. To amend section two (2) of an act entitled an act to create a new charter for the city of Florence, Alabama, approved February 28th, 1889,

Corporations;

By Mr. Jackson—

H. 704. To prevent in certain cases the sale, exchange

and transportation of cotton in the seed in the county of Lee, and of cotton in the seed produced in said county,

Revision of laws;

Also,

H. 705. Joint resolution in relation to the free coinage of silver,

Rules;

By Mr. Whitten—

H. 706. To amend section 1396 (1630) of the code of 1886 as to the county of Lowndes,

Revision of laws;

Also,

H. 707. To amend section 1397 (1631) of the code of 1886 as to the county of Lowndes,

Revision of laws;

Also,

H. 708. To allow justices of the peace and notaries public, ex-officio justices of the peace, to go bail except in cases to be tried before them in Lowndes county,

Revision of laws;

Also,

H. 709. To provide for the appointment of four inspectors of the public roads in Lowndes county and to define the duties and powers of such inspectors,

Revision of laws;

Also,

H. 710. To give justices of the peace and notaries public ex-officio justices of the peace exclusive original jurisdiction in the county of Lowndes, to try persons charged with violations of the criminal law relating to public roads in all cases where they now have jurisdiction to try such cases,

Revision of laws;

By Mr. Fletcher—

H. 711. To amend an act entitled an act to confirm the charter of the Dallas Manufacturing Company and confer upon it additional powers, approved February 2d, 1893,

Corporations;

By Mr. Coleman—

H. 712. For the relief of William Powell,

Judiciary;

By Mr. Smith of Mobile—

34h

H. 713. To amend section 1 of an act entitled an act to amend section 2 of an act entitled an act to amend section 1 and 12 of an act entitled an act to regulate the taking of oysters from the public reefs in this state for sale or planting, approved December 10th, 1892, and to repeal an act entitled an act to regulate the planting and taking of oysters in the waters of this state approved February 18th, 1891, which act hereby amended was approved December 14th, 1894, and to repeal sections 10 and 13 of an act entitled an act to regulate the taking of oysters from the public reefs in this state, for sale or planting, approved December 10th, 1892,

Revision of laws ;

Also,

H. 714. To amend section 1 of an act to authorize the consolidation of street railways, electric light or gas companies,

Corporations;

Also,

H. 715. To amend 2933 of the code of Alabama,

Judiciary;

Also,

H. 716. To prohibit persons from jumping on or off railroad cars and locomotives while in motion,

Commerce and common carriers ;

Also,

H. 717. To prohibit persons from secreting themselves on a railroad car or locomotive with intent to ride without paying fare,

Commerce and common carriers ;

Also, (with notice and proof)

H. 718. To dissolve the incorporation of the Mobile Athletic Association incorporated under the general laws of this state,

Corporations;

Also,

H. 719. To exempt the superintendent of the Mobile Cotton Exchange of the city of Mobile from jury duty,

Revision of laws;

Also, (with notice and proof)

H. 720. To incorporate the Young Men's Christian Association of Mobile, Alabama, and to define the pow-  
thereof,

Corporations;

Also,

H. 721. To amend section 3682 of the code of Alabama,

Local legislation;

Also, (with notice and proof)

H. 722. For the relief of James Coyles Bullock, and to change the name of said James Coyles Bullock to James Coyles Barry,

Revision of laws ;

By Mr. Brooks—

H. 723. To authorize incorporated cities and towns in this state to use the Myers Automatic Ballot Machine in municipal elections,

Privileges and elections;

Also,

H. 724. To tax gifts, legacies and inheritances,

Ways and means;

Also,

H. 725. To amend sections two (2), fifteen (15), and sixteen (16) of an act entitled an act to regulate Mobile Harbor, approved February 28th, 1889,

Local legislation;

Also,

H. 726. To amend sections one, two and twelve of an act to establish and provide for the maintenance of a quarantine by improved methods against the introduction of yellow fever and other infectious and contagious diseases in the state of Alabama, approved February 16th, 1891,

Public health,

Also, (with notice and proof)

H. 727. For the relief of the representative of Gaylord B. Clark, deceased,

Judiciary;

By Mr. Robinson, (with petition, notice and proof)

H. 728. For the relief of Margaret R. Handle, widow of Dudley C. Randle, M. D., deceased,

Appropriations;

Also,

H. 729. To authorize the Quarantine Board of Mobile Bay to compensate Thomas S. Scales for services as executive officer of said Board,



Local legislation;

Also,

H. 730. To amend section 3751 of the Code of Alabama,

Judiciary;

Also (with notice and proof),

H. 731. To confer additional powers and rights upon the Fidelia Club of Mobile,

Corporations;

Also (with notice and proof),

H. 732. To confer additional powers and rights upon the Athelstan Club of Mobile,

Corporations ;

By Mr. Screws (with notice and proof)—

H. 733. To relieve William B. Westcott of the disabilities of non-age,

Judiciary;

Also,

H. 734. To relieve Theodosia Montgomery, of the county of Montgomery, a married woman under the age of 18 years of the disabilities of non-age,

Judiciary;

By Mr. Mahan (by request with notice and proof)—

H. 736. For the relief of A. M. C. Denton of Morgan county,

Appropriations;

By Mr. Fleming—

H. 736. To authorize the Mayor and the City Council of Troy, Ala., to issue bonds of said city to the amount not exceeding \$20,000, for the purpose of purchasing lands and erecting and equipping school buildings thereon,

Education;

Also (with petition, notice and proof)

H. 737. For the relief of the Troy Fertilizer Company,

Appropriations;

By Mr. Boykin—

H. 738. To provide for the disposition of commissions allowed as solicitors fees on all forfeitures collected by clerk or sheriff,

Ways and Means,

Also,

H. 739. To provide more efficient means of collecting solicitor's fees in this state,

Ways and Means;

By Mr. Camp, (with notice and proof)—

H. 740. To provide for the payment of certain claims of the sheriff of Talladega county against the state,

Ways and Means;

Also,

H. 741. For the payment of the registrar of Talledega county,

Appropriations,

Also (with notice and proof),

H. 742. To divest title in certain lands lying in Calhoun county, Ala., out of the state and vest title in same in Mary A. Nance,

Judiciary ;

By Mr. Mayfield by request—

H. 743. To prevent the running at large of boars and bulls in Tuskaaloosa county,

Local Legislation;

Also,

H. 744. To amend an act to incorporate the city of Tuskaaloosa, approved March 12th, 1873, by the addition of section —in reference to the levy and collection of a tax on certain persons, businesses, and vocations, within the corporate limits of said city, and the license restraining and regulating of the same, and to provide punishment for the doing of such businesses without having taken out a license or paid such tax,

Corporations ;

By Mr. Dale (with notice and proof)—

s. 745. For the relief of M. E. Curtis as sheriff of Wilcox county, Alabama,

Appropriations ;

By Mr. Cook of Wilcox (with notice and proof)—

H. 746. For the relief of S. M. McDowell,

Referred to the Wilcox delegation ;

By Mr. Kelly by request, (with notice and proof)—

H. 747. To authorize and require the court of county commissioners of Calhoun county to draw their warrant on the treasurer of said county in favor of W. F. Hanna, the registrar of said county for services as registrar as herein specified,

Appropriations;

Also (with notice and proof) —

H. 748. To incorporate the Anniston Hose Company, No. 4, located in the city of Anniston, Calhoun county, Alabama,

Corporations;

Also,

H. 749. To amend section 10 of an act entitled an act to constitute the city of Anniston a separate school district and to provide aboard of education therefor, approved January 28th, 1891,

Education.

#### BILLS ON SECOND READING.

The chairman of the Judiciary committee reported favorably on the following bill:

H. 291. To provide for and regulate the mode of selecting, drawing and empanelling grand and petit jurors for the county of Tuscaloosa.

The above and foregoing bill, was read a second time, and placed on the calender.

H. 114 was returned to the house, read again, and referred to the committee on Appropriations,

And the house adjourned till 10 o'clock to-morrow.

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#### TWENTY-NINTH DAY.

#### HOUSE OF REPRESENTATIVES.

Jan. 23, 1895.

The house met pursuant to adjournment.

Prayer was offered by Rev. W. P. Howell of Cleburne.

A quorum was present.

#### REVISION OF JOURNAL.

The committee on the revision of the journal reported that the journal of yesterday was in all respects correct.

#### LEAVES OF ABSENCE

Leave of absence was granted to Messrs. Meador and Wood for one day.

## MOTIONS.

On motion senate bill 163 was taken from calendar and referred back to the Temperance committee.

## REPORT OF COMMITTEE ON RULES.

The committee on rules reported favorably upon the resolution to hold a joint session of the two houses on Friday, January 25th inst., at 4 o'clock p. m., and invite the committee of the Cotton States and International Exposition of Atlanta, Ga., to address said joint session.

## INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate committees, as follows :

By Mr. Smith of Autauga—

H. 750. To create the thirteenth judicial circuit of the State of Alabama, to fix the time of holding court therein and to provide for the appointment of a judge and the election of a solicitor for said circuit,

Judiciary;

By Mr. Jinks—

H. 751. To provide for the time of taking up the criminal docket in the counties of Bullock and Dale,

Judiciary;

By Mr. Smith of Butler—

H. 752. To relieve Eva Doheimer of Butler county, Alabama, of the disabilities of non-age,

Judiciary ;

Also,

H. 753. To regulate the fine and forfeiture fund of Butler county, and the disposal of moneys arising from fines, forfeitures and convict labor in said county,

Revision of laws ;

By Mr. Kelly—

H. 754. To confer chancery powers and jurisdiction upon the circuit court in the several counties of the seventh judicial circuit of Alabama, to regulate the practice and procedure in said courts, and in the supreme court.

of Alabama on appeal from said courts and to fix the time and place of holding said courts,

Judiciary;

Also,

H. 755. To authorize and direct the judge of the probate court of Calhoun county to establish districts in said county in which stock may be prevented from running at large and to regulate such districts,

Local legislation;

Also,

H. 756. To amend the revenue laws of the State of Alabama,

Ways and means;

By Mr. Taylor—

H. 757. To establish a charter for the city of Fruit-hurst in Cleburne county, Alabama,

Corporations;

By Mr. Routon—

H. 758. For the relief of J. J. H. Daniel,

Appropriations;

Also,

H. 759, For the relief of W. Z. Daniel,

Appropriations;

Also,

H. 760. To prohibit the selling, giving away or otherwise disposing of alcoholic, vinous or malt liquors or other intoxicating drinks or beverages, or fruits preserved in alcoholic liquors, within one-half mile in every direction from Mash's Mill, in beat 6 in Crenshaw county, Alabama,

Temperance;

By Mr. Killebrew—

H. 761. To incorporate the Ozark Cotton Mill Company,

Corporations ;

By Mr. Tuck—

H. 762. To give physicians a lien upon the personal property of any person for the payment of medicines furnished and services rendered to each person or his family not to exceed the sum of ten dollars per year, and to provide for the enforcement of such lien,

Judiciary;

By Mr. Franklin—

H. 763. To incorporate North Alabama College at Fort Payne, DeKalb county, Alabama,

Education;

Also,

H. 764. To establish a separate school district, to be known as district No. 3, in DeKalb county, Alabama,

Education:

By Mr. Rabb—

H. 765. To create a separate school district in the town of Brewton, Alabama, to define its boundaries and provide for the maintenance of schools therein,

Education;

By Mr. Mills—

H. 766. To authorize the construction of tramways, pole roads, canals and ditches by corporations, associations, partnerships and individuals, and to float saw-logs, timber, rafts, etc., down any stream susceptible of floating the same, in the counties of Geneva, Dale and Coffee,

Commerce and common carriers ;

Also,

H. 767. For the relief of B. J. Castellow,

Appropriations;

Also,

H. 768. To repeal an act entitled an act to prohibit the driving of logs, timber or lumber in that part of the Choctawhatchie river in this state, below the town of Newton in Dale county, approved February 6th, 1889,

Commerce and common carriers;

By Mr. Smith of Greene—

H. 769. To provide for the more efficient working of the public roads in Greene county, and for the appointment of district road commissioners for Greene county,

Public roads and highways;

Also,

H. 770. To prevent the running at large of stock in certain portions of Greene county,

Local legislation;

By Mr. Knight—

H. 771. To amend the charter of the town of Greensboro, in Hale county, Alabama, and all acts amendatory thereto,

Corporations,

Also,

H. 772. To amend an act entitled an act to amend!  
section 499 of the code of Alabama, approved February  
18th, 1887,

Corporations;

Also,

H. 773. For the relief of S. W. Chadwick, registrar of  
Hale county, for services rendered,

Appropriations;

Also,

H. 774. To make incurable insanity a ground for di-  
vorce,

Judiciary;

By Mr. Ward—

H. 775. For the protection of dogs in Henry county,  
Local legislation;

By Mr. Williams of Henry—

H. 776. To prohibit the sale, giving away, or other-  
wise disposing of spirituous, vinous or malt liquors or  
intoxicating bitters or beverages in the state of Alabama,  
except within the limits of police jurisdiction of incor-  
porated cities and towns,

Temperance;

By Mr. Maples—

H. 777. To provide for an act to amend section 19 of  
an act entitled an act to establish a charter for the city  
of Bridgeport,

Corporations;

Also,

H. 778. To amend an act entitled "an act to amend  
an act entitled an act to establish and incorporate the  
Scott Academy" at Scottsboro in Jackson county, ap-  
proved February 26th, 1889,

Education;

Also,

H. 779. To authorize the Tri-State Normal University  
to receive public school funds for students within school  
age,

Education ;

By Mr. John—

H. 780. To regulate the time of taking up the docket  
of criminal cases for final trial in the circuit courts,

Judiciary;

By Mr. Lipscomb ;

H. 781. To establish Pleasant Hill School District in Jefferson county, Alabama,

Education;

By Mr. McClusky (by request)—

H. 782. To incorporate the town of Kennedy in Lamar county, Alabama,

Corporations;

By Mr. Jackson—

H. 783. To amend an act entitled an act for the preservation of game animals and birds in the counties of Tuscaloosa and Colhoun, approved February 27th, 1889, which was amended so as to apply to Tuscaloosa county, Crenshaw county, Lee county and Calhoun county, approved February the 18th, 1891, so far as the same relates to Lee county,

Local legislation;

By Mr. Fielding—

H. 784. To repeal an act entitled an act to amend an act to repeal section 3210 and to amend sections 3211, 3212, 3214, 3215, 3216, and 3217 of the code of 1886, relating to the condemnation of lands for public uses approved February 18th, 1891, so far as the same relates to Limestone county, approved February 21st, 1893,

Revision of laws;

By Mr. Whitten, (by request)—

H. 786. To amend section 2905 (3196) of the code of Alabama of 1886,

Judiciary;

By Mr. Davis—

H. 786. To establish the Hamilton School District in Marion county,

Education;

Also,

H. 787. To incorporate the Hamilton High School in Marion county, Alabama,

Education ;

By Mr. Brooks—

H. 788. To amend an act to prohibit the sale or giving away of spirituous, vinous or intoxicating liquors within two miles of the Methodist Episcopal church South, in the town of Citronelle, Alabama, approved March 4th, 1895,

Temperance;

By Mr. Hill—



H. 789. To amend section 1206 of the code of Alabama :

Banking and insurance;

By Mr. Screws—

H. 790. To relieve Louise A Westcott of Montgomery county, of the disabilities of non-age,

Judiciary;

By Mr. Barren—

H. 791. To amend section 4451 of the code,

Revision of laws;

Also—

H. 792. To authorize the mayor and council of the town of Marion to erect and maintain waterworks in said town, to issue bonds for the purpose of erecting and maintaining said waterworks to an extent not exceeding thirty thousand dollars, and to make provisions by deed of trust and the creating of a sinking fund for the payment of said bonds,

Special delegation, of Perry, Dallas and Marengo counties ;

By Mr. Curtis—

H. 793. To apply a portion of the public school fund in aid of the Normal schools of the state,

Education;

By Mr. Fleming—

H. 794. To amend section 6 of an act approved December the 9th, 1890, entitled an act to prevent stock from running at large in Pike county so as to read as follows,

Local legislation ;

By Mr. Deans—

H. 795. To authorize and empower the commissioner's court of Shelby county to appropriate money from the general fund to pay off registered claims against the fine and forfeiture fund of said county,

Local legislation ;

By Mr. Camp—

H. 796. To create the thirteenth judicial circuit of the state of Alabama to regulate the terms, practice and procedure therein, to provide for the appointment and election of a judge and solicitor for said circuit and to extend the powers and jurisdiction of said court,

Judiciary;

Also,

H. 797. To repeal an act entitled an act to establish the city court of Talladega, approved February 13, 1893, and to provide for the disposition of causes pending in said court for the issuance of process on judgments and decrees in said court, for the issuance of process on indictments in said court and for the transfer of all dockets, papers and books relating to cases in said court to the circuit court of Talladega county, and to provide for the signing of bills of exceptions, and appeals to the supreme court from judgments and decrees rendered by said court,

Judiciary;

By Mr. Cook, of Talladega—

H. 798. To provide for an election in the various precincts in the county of Talladega on the subject of stock running at large in said precincts in said county,

Special committee composed of Talladega delegation ;

Also,

H. 799. To amend sections one and two of an act to establish partial stock law districts in Talladega county, approved February 21, 1887,

And all acts amendatory of said sections of said act,

Special committee composed of Talladega delegation ;

By Mr. Meadows—

H. 800. To better provide for and in what precincts suit is to be brought in—in Tallapoosa county,

Revision of laws;

Also,

By request—

H. 801. To authorize a vote of the legal voters of Daviston beat No. 17, in Tallapoosa county, to decide whether spirituous, vinous or malt liquors shall be sold within the corporate limits of the town of Daviston in said beat,

Temperance;

By Mr. Mayfield—

s. 802. To amend section 3789 of the penal code, defining and providing for the punishment of grand larceny,

Judiciary;

By Mr. Gaines, by request—

H. 803. To charter the town of Oakman in the county of Walker, state of Alabama,

Corporations;

By Mr. Turner—

H. 804. To further provide for and regulate the, trial of misdemeanors in Washington county,

Revision of laws;

By Mr. Cook, of Wilcox, by request—

H. 805. To define and punish blackmailing,

Judiciary;

By Mr. Roach—

H. 806. To amend section 3872 of the Code of 1886,

Revision of laws;

By Mr. Smith, of Autauga—

H. 807. To incorporate the Autauga Manufacturing Co., in Autauga county, Alabama,

Corporations ;

By Mr. Sanford—

H. 808. To make the anniversary of the birthday of Jefferson Davis a legal holiday,

Judiciary

By Mr. Deans—

H. 809. To amend an act entitled an act to regulate, the trial of misdemeanors in Shelby county, Alabama,. approved February 21, 1893,

Revision of laws ;

By Mr. Fletcher—

H. 810. To confirm the incorporation of the Quickenham Club of Huntsville, Alabama, and to enlarge the, powers and capacities of said club,

Corporations,

By Mr. Mayfield—

H. 811. To authorize and empower clerks of the circuit courts and registers in chancery to issue writs of mandamus and certiorari, supersedeas, quo-warranto, and all other writs remedial,

Judiciary;

By Mr. Kyle—

H. 812. To prescribe the duties of officers and other persons in regard to property of persons arrested and to fix penalties for the violations thereof,

Revision of laws;

Also,

H. 813. To prescribe the compensation of the judge of probate of Morgan county, Alabama, for services as, judge of the county court of said county,

Revision of laws ;

Also,

H. 814. To authorize the corporate authorities of the town of New Decatur, in the county of Morgan, to require the male inhabitants of said town within certain ages, to perform work and labor on the streets and highways of said town, for the purpose of opening, maintaining and keeping said streets and highways in proper repair, and to require those failing to perform such work and labor to pay annually a sum of money to be devoted to the opening, repair and maintenance of the streets and highways of said town,

Corporations;

Also,

H. 815. To amend section 3739 of the Code of 1886,

Revision of laws;

Also,

H. 816. To fix the times and regulate the holding of the courts in the eighth judicial circuit of the state of Alabama,

Revision of laws;

By Mr. Kennedy—

H. 817. To amend section 2972 of the Code of Alabama, so as to provide a more effectual remedy against the subscribers to the capital stock of a corporation who have not paid their subscription,

Corporations;

By Mr. Kelly—

H. 818. To limit the time within which the old bonds of the state may be exchanged for the new bonds authorized by the act approved February 23, 1876,

Ways and means;

By Mr. Kyle—

H. 819. To confer chancery jurisdiction on the circuit courts in the counties of Madison, Morgan and Limestone,

Revision of laws ;

By Mr. Clark—

H. 820. To provide for the holding of the circuit courts in the second judicial circuit,

Judiciary;

By Mr. Willett—

H. 821. To provide for the calling and holding of

meetings of stockholders of railroad corporations in certain cases and regulating the voting, the election of officers and the transaction of other business at such meetings,

Revision of laws ;

By Mr. Ward—

H. 822. To amend section 141 of the code, of Alabama, approved Dec. 12th, 1892,

Agriculture;

By Mr. John—

H. 823. To regulate the disposition of the poll tax collected in the year 1895-6,

Education;

Also,

H. 824. To prevent the keeping of open saloons in the city of Ozark on the Sabbath day,

Temperance;

Also,

H. 825. To amend an act entitled an act to establish city court of Gadsden, approved December 17th, 1894, by amending section three of said amending act,

Judiciary.

#### BILLS ON SECOND READING.

The chairmen of the several committees reported favorably on the following bills :

H. 496. To punish any person who knowing the contents thereof, sends, delivers, utters, posts, or directly or indirectly causes to be received by or made known to another, any letter or writing, or any verbal message, threatening to burn, injure, or destroy, conditionally or unconditionally, any house, store, shop, barn, gin or other building, or any house or pen containing corn or cotton or other agricultural produce, or any agricultural produce whether in or under any building or not;

H. 593. To establish a court of inferior civil and criminal jurisdiction of Mobile, and to define the jurisdiction thereof,

(With amendment;)

H. 594. To regulate the fees and costs in courts of justices of the peace in the city of Mobile ;

H. 613. To regulate the trial of criminal causes in the supreme court of Alabama;

H. 612. To provide for the preservation of the public records of this state ;

H. 595. Prescribing jurisdiction of justices of the peace in the city of Mobile ;

H. 585. To amend section 2640 of the code;

H. 568. To amend section 606 of the code of 1886 ;

H. 524. To authorize the constable of beat 3, Henry county, to appoint a deputy and to execute certain processes ;

H. 586. To make the husband or wife of the defendant a competent witness for the defendant in criminal prosecutions;

H. 416. To amend sections 3682, 3683, 3684, 3685, 3687, 3689, of the code of 1886, relating to the fees of the clerks of the circuit court, registers in chancery, clerk of the supreme court, judges of probate, sheriffs, coroners, justices of the peace and constables,

(With amendment:)

H. 640. To create a separate school district in the County of Franklin to be called Newburg Public School District and to define the boundaries thereof;

H. 216. To define the boundary lines of the Clintonville School district in Coffee county, Alabama, (substitute) ;

H. 624. To create a separate school district to be known as Headland School District in Henry county, and to define the boundaries thereof;

H. 6. To change the name of Jane Vandalia Hodge to that of Jane Vandalia Harp and confer upon her the rights of a femme sole ;

H. 501. To prevent any person from catching any fish in any stream in Beats one and two in Geneva county, except by hook and line, and to prohibit the explosion of dynamite in any stream in beat one and two in said county;

H. 618. To prevent the explosion of dynamite or any other explosive material in any of the waters of Bibb county, Alabama;

H. 629. To repeal an act entitled an act to provide for the compensation of the superintendent of the county poor house in Limestone county, Alabama, approved February 23rd, 1893;

H. 622. To authorize the Treasurer of Jackson coun-

ty to register for payment outstanding State witness certificates of the late County Court of Jackson county, as of their date of issuance ;

H. 674. To provide the ways and means to establish, open, improve, work and keep in good condition the public roads in Dallas county, Alabama ;

s. 190. To amend section 2804 of the Code ;

s. 57. To make United States license for the sale of spirituous, vinous or malt liquors, or of alcoholic bitters, cordials or beverages of any kind in violation of law in this state, prima facie evidence ;

s. 164. To incorporate Spring Lake College, Springville, St. Clair county, Alabama.

The above and foregoing bills, were severally read a second time, and placed on the calendar.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has adopted a joint resolution, herewith sent, requesting the president of the senate and speaker of the house to erase their signatures from the house bill 41;

And has originated and passed the following bills :

s.131. To amend section four of an act entitled an act to authorize the increase of the capital stock and bonded indebtedness of private corporations organized under special charter, approved December 10, 1890 ;

s. 207. To amend an act entitled an act to authorize the commissioners courts and county boards of revenue to aid indigent confederate soldiers, approved February 21st, 1893;

s. 206. To amend section 2346 of the Code of Alabama;

s. 213. To relieve Maud W. Davidson of the disabilities of non-age;

s.220. To establish a separate school district, to be known as the Mount Zion School District, in Cullman county, Alabama;

s. 223. To incorporate the Farmers' Mutual Insurance Association of the State of Alabama, Amendments;

And has passed the following house bills:

H. 94. To amend an act to provide for the appointment of an official stenographer for the circuit and chancery courts in the county of Mobile and the city court of the city of Mobile, and to define his duties and regulate his compensation, approved February 12th, 1879 ;

H. 138. To incorporate "The University School," situated at Clanton, in the county of Chilton;

H. 173. To prevent the tying, or staking, out of stock on the public roads and railroads of Barbour county;

H. 158. To better provide for the establishment and working of the public roads in Lauderdale county, Alabama;

And has amended as therein shown, and as amended, has passed the house bills :

H. 103. To amend an act entitled an act to incorporate the Alabama Baptist Colored Normal and Theological School, and all amendments thereto ;

H. 392. To incorporate the Etowah Male and Female Institute in Etowah county, Alabama;

H. 474. To incorporate the Eufaula District Academy of M. E. Church, South.

And has concurred in the house joint resolution providing for a joint convention of the two houses of the general assembly in the hall of the house at 4 o'clock p. m., on Friday 25th day of January, 1895, for the purpose of hearing the committee of the Cotton States and International Exposition of Atlanta, Ga. in relation to the representation of the state at the coming exposition to be held at Atlanta, Ga.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees, as follows :

Corporations, s. 131, 223;

Appropriations, 207 ;

Judiciary, s. 206;

Revision of laws, s. 213;

Education, s. 220;

And the house concurred in the senate amendment to,



H. 103. To amend an act entitled an act to incorporate the Alabama Baptist Colored Normal Theological School, and all amendments thereto;

Yeas 69, nays 0.

Yeas:

Messrs. Speaker, Barren, Beeson, Bellinger, Bpykin, Brooks, Burks, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Grant, Graves, Harris, Hearn, Hill, Jackson, Jinks, Kennedy, Knight, Langley, Lipscomb, Manning, Mastin, Meadows, Mahan, Mixon, Moore, McClusky, McCorvey, Ott, Patton, Perry, Rabb, Rand, Reaves, Robbins, Robinson, Rogers, Rowe, Routon, Savage, Scarborough, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry—69.

Also to,

H. 392. To incorporate the Etowah Male and Female Institute in Etowah county ;

Yeas 68, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Grant, Graves, Harris, Jackson, Jinks, Kennedy, Killebrew, Knight, Langley, Manning, Maples, Mastin, Mayfield, Meadows, Mahan, Mixon, McClusky, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Rabinson, Rogers, Rowe, Routon, Savage, Scarborough, Seale, Smith of Greene, Smith of Mobile, Taylor, Turner, Wheelless, Willett, Williams of Bullock, Williams of Henry—68.

Also to,

H . 474. To incorporate the Eufaula District Academy of M. E. Church South;

Yeas 57, nays 0.

Yeas :

Messrs. Speaker, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron,

Camp, Cole, Coleman, Davis, Deans, Ewing, Fletcher, Forman, Franklin, Fulton, Gains, Gibbons, Grant, Hill, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Langley, Manning, Maples, Mastin, Mayfield, Mahan, Mills, Mixon, Montgomery, McClusky, McCorvy, McQueen, Ott, Patton, Prowell, Rand, Robinson, Rogers, Routon, Savage, Scarborough, Smith of Greene, Tuck, Whitten, Willett, Williams of Bullock, Williams of Henry—57.

The senate joint resolution relative to erasure of signature from H. 41 was concurred in.

#### RESOLUTIONS.

The following resolutions were introduced and referred to the committee on rules, as follows:

By Mr. Montgomery—

Resolved, That the committee on enrolled bills be authorized to employ a reading clerk, as it will greatly facilitate their work in comparing bills;

Said clerk also to be required to work in the office of enrolling clerk of the house when not employed in reading for the committee.

By Mr. Cameron—

Whereas, widespread suffering and want is reported to exist in the state of Nebraska among the inhabitants of that state on account of the failure of crops from the long continued drouths prevailing there during the past year ; and, whereas, a common bond of sympathy should unite all humanity and make us anxious to extend our sympathy and help to our unfortunate fellow-men; therefore, be it,

Resolved, By the house of representatives of Alabama, the clerk be instructed to draw one-half of one day's pay of each member of the house of representatives and forward the same to the governor of Nebraska to be expended for the benefit of the suffering people of that state.

By Mr. Meadows—

Whereas, That owing to the decrease in value of farm products, minerals, and other articles manufactured in this state, it being the only source whereby a majority of the tax-payers can get money to pay their taxes, and in view of the fact that nearly everything necessary for

the sustenance and comforts of life is at least 40 per cent. less than when the present salaries of the different officers of the state, and the official fees of the county officers of the state were fixed;

Therefore, be it resolved, that it is the duty of this house to reduce the salaries of all state officers and official fees of the county officers of this State at least ten per cent. This resolution to be referred to the proper committee with instructions to report by bill or otherwise. This resolution shall not be construed so as to include the present officials of the state and counties.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

The committee on enrolled bills report the following bills correctly enrolled :

H. 56. To regulate and prescribe the manner of electing county commissioners of Calhoun and Talladega, counties;

H. 71. To amend section 3763 of the criminal code of 1886;

H. 73. To confer upon the mayor of the city of Bessemer, Alabama, the power and jurisdiction of a justice of the peace in the corporate limits and police jurisdiction of said city;

H. 168. To establish the Rodgers School District in Pike county;

H. 188. To confirm, amend and enlarge the charter of the Bessemer Land and Improvement Company;

H. 497. To amend and ratify the charter of the East Alabama Fertilizer Company, incorporated in Barbour county, Alabama, under the general statutes of said state, and to extend and enlarge the powers of said company ,

H. 173. To prevent the tying, or staking out of stock on the public roads and railroads of Barbour county;

H. 158. To better provide for the establishment and working of the public roads in Lauderdale county, Alabama ;

H. 295. To create a separate school district in Cherokee county, Alabama, to be known as Taff School District, and to define the boundaries thereof;

H. 210. To incorporate the Alabama State Mutual

Assurance Company, and to define its rights, powers and franchises;

H. 245. To incorporate the Alabama Mutual Fire Insurance Company, and to define its rights, powers and franchises.

J. H. MONTGOMERY,  
Chairman.

#### SIGNING BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set out in the foregoing report of committee on enrolled bills.

#### BILLS ON THIRD READING.

H. 207. To repeal an act to abolish the office of tax collector in the counties of Baldwin, Escambia and Sanford, so far as the same relates to Baldwin county,

Was read a third time, at length, and passed—yeas 67, nays 0.

Yeas :

Messrs. Banks, Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Ellis, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gibbons, Grant, Graves, Harris, Hearn, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Lipscomb, Mayfield, Mixon, Moore, McClusky, McQueen, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Williams of Bullock, Williams of Henry—67.

H. 254 was on motion of Mr. Mills indefinitely postponed.

H. 296. For the preservation of game animals and birds in the counties of Sumter and Chilton, approved February 23, 1887, so far as the same relates to Chilton county,

Was read a third time, at length, and passed—yeas 70, nays 0.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ewing, Fleming, Fletcher, Ford, Franklin, Fuller, Fulton, Gewin, Graham, Harris, Hearn, Jackson, Jinks, Kennedy, Killebrew, Lipscomb, Manning, Maples, Mastin, Mayfield, Meadows, Mills, Montgomery, McClusky, McCorvey, McQueen, Ott, Perry, Prowell, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Ward, Wheelless, Williams of Bullock—70.

H. 623. To prohibit the sale, or giving away of alcoholic, spirituous, vinous or malt liquors, within five miles of Holland Chapel Methodist Church; and within the voting precinct of Dutton, all within the county of Jackson,

Was read a third time, at length, and passed—yeas 59, nays 0.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Ewing, Fleming, Fletcher, Forman, Franklin, Gibbons, Graves, Jackson, Jinks, Kennedy, Killebrew, Knight, Kyle, Maples, Mastin, Mayfield, Meadows, Mills, McQueen, Patton, Perry, Prowell, Reaves, Roach, Robbins, Robinson, Rowe, Routon, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry—59.

H. 274. To provide for the awarding of contracts for state and county printing to citizens of this state,

Was amended, read a third time, at length, and on motion of Mr. Knight, tabled:

H. 264. To incorporate the intendant and trustees of Hatchett creek camp ground and preserve order at said camp ground,

Was read a third time, at length, and passed—yeas 59, nays 1.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Boykin, Brown of Russell, Burks, Burns, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Dale, Ewing, Forman, Franklin, Fuller, Fulton, Gibbons, Grant, Graves, Harris, Hearn, Kelly, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mixon, Montgomery, Moore, McClusky, McCorvey, Ott, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Rowe, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Turner, Wheelless, Williams of Bullock, Williams of Henry—59.

Nay: Mr. Cameron.

H. 278. To incorporate Graham College in Randolph county, Alabama,

Was read a third time, at length, and passed—yeas, 57, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bel-linger, Brooks, Brown of Russell, Burks, Burns, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Ewing, Fielding, Fleming, Fuller, Gibbons, Grant, Graves, Harris, Kelly, Kennedy, Killebrew, Kyle, Lipscomb, Manning, Maples, Mayfield, Meadows, Mixon, Montgomery, McClusky, McCorvey, Ott, Patton, Rand, Reaves, Robinson, Rogers, Rowe, Routon, Savage, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Wheelless, Whitten, Williams of Henry—57.

H. 76. To amend section 2611 of the code of Alabama, relating to defendant in detinue requiring adverse claimant to come in and defend,

Was read a third time, at length, and passed—yeas 59, nays 0.

Yeas:

Messrs. Speaker, Barren, Beeson, Boykin, Brooks, Brown of Russell, Burns, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Dale, Fielding, Fletcher, Fuller, Gibbons, Grant, Graves, Harris, Hearn, Jackson, Jinks, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Mastin, Meadows, Mahan, McCorvey, Ott, Patton, Perry, Prowell, Rabb, Reaves, Robbins, Robinson, Rowe, Scar-

borough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Ward, Wheelless—59.

H. 28. To regulate primary elections in the county and city of Mobile,

Was read a third time, at length, and passed—yeas 52, nays 4.

Yeas:

Messrs. Barren, Beeson, Boykin, Brooks, Brown of Russell, Burns, Calhoun, Cameron, Cole, Cook of Talladega, Cook of Wilcox, Dale, Fleming, Fletcher, Forman, Fuller, Gibbons, Grant, Kelly, Kennedy, Knight, Kyle, Mahan, Montgomery, McClusky, McCorvey, Ott, Pattori, Perry, Prowell, Rand, Robbins, Robinson, Rogers, Routon, Sanford, Savage, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Williams of Bullock—52.

Nays :

Messrs. Ellis, Hearn, Mills, and Mixon—4.

GOVERNOR'S MESSAGE.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT, }  
 OFFICE OF THE GOVERNOR, }  
 MONTGOMERY, ALA., Jan. 23rd, 1895. }

Gentlemen of the General Assembly:

I wish to call your attention particularly to our schools and how they are maintained, the amount of money appropriated and how it is applied, with some suggestions of legislation in regard thereto.

The University was founded at Tuscaloosa by an endowment of public land when the state was admitted into the Union. The state was made the trustee of the University and as such sold the lands and covered the proceeds into the treasury.

After the close of the war when the University was much in need of money, in consequence of the burning of its buildings, in 1865, by the Union soldiers, the state advanced one hundred thousand dollars to aid in reconstructing the buildings, etc. After this it was ascertained that the state owed the institution on account of

said trust lands over eight hundred thousand dollars. Much of it had disappeared in the old state bank, in confederate money and the exigencies of the war. Then reconstruction of the state government and extravagances of those in power destroyed the credit of the state, so that after the expulsion of the "carpet baggers," on a compromise, it was agreed that the state should owe the University three hundred thousand dollars, and on that should pay interest at the rate of eight per centum indefinitely, which makes the twenty-four thousand dollars appropriated by the legislature for each and every year and paid out of the state treasury to that institution.

During the 49th congress a bill was passed donating to the University forty-six thousand and eighty acres of mineral lands, within the state, as a compensation for the destruction of the buildings aforesaid. It still owns thirty-six thousand acres of the land, but receives no income there from. If the University retains these lands, as I trust it will, they will soon be worth a million of dollars, or more, and will make it one of the best endowed universities in the United States.

#### THE AGRICULTURAL AND MECHANICAL COLLEGE.

The Agricultural and Mechanical College, located at Auburn, was founded by a grant of two hundred and forty thousand acres of land from congress for that purpose in the year 1870, I believe. The land script was issued and placed in the hands of the State as trustee. The State sold the script and covered the proceeds into its treasury aggregating two hundred and fifty-three thousand, five hundred dollars and issued bonds therefor upon which it pays eight per cent. interest, and this constitutes the appropriation every year, by our general assembly, of twenty thousand two hundred and eighty dollars to the college. The bonds issued for this debt bore eight per cent. coupons, all of which have been paid and cancelled, but in the appropriation bill passed in the early part of your session you appropriated the same amount to that institution as heretofore. The bonds are long passed due, but the state has no money with which to pay them, and I suppose that the general



assembly will continue to pay interest on them at the same rate. Of course the rate of interest is discretionary with the general assembly. It is a high one, but I submit as it runs on trust funds which the state has long since converted to its own use that the legal rate should be paid. Another consideration for liberality in the interest rate is that at these two great schools tuition is free to all the young men of the State. They are institutions of which all our people should justly be proud.

The A. and M. College also receives annually that portion of the Morrill fund, donated by congress from the sales of public lands, to the high school education of white pupils, about eleven thousand dollars.

Connected with said college is also the agricultural experiment station, which receives under the Hatch law, from proceeds of the sale of public lands, fifteen thousand dollars per annum. Thus the A. and M. College, and all connected therewith, receive forty-six thousand two hundred and eighty dollars annually for their support. The college also receives one-third of the income from the tag tax of fertilizers, which was for the last fiscal year seven thousand six hundred and eighty-six dollars.

#### THE COMMON SCHOOL SYSTEM.

In 1875 the convention which framed the present Constitution declared in that instrument:

#### ARTICLE XIII.

"SECTION 1. The General Assembly shall establish, organize and maintain a system of public schools throughout the State for the equal benefit of the children thereof, between the ages of seven and twenty-one years ; but separate schools shall be provided for the children of citizens of African descent."

Then follows provisions for raising the means to support and sustain that system, to wit:

"SEC. 2. The principal of all funds arising from the sale or other disposition of lands or other property ; which has been or may hereafter be granted or entrusted to this State; or given by the United States for educational pur-

poses, shall be preserved inviolate and undiminished ; and the income arising therefrom shall be faithfully applied to the specific objects of the original grants or appropriations."

SEC . 3. All lands or other property given by individuals, or appropriated by the State for educational purposes, and all estates of deceased persons, who die without leaving will or heir, shall be faithfully applied to the maintenance of the public schools."

SEC. 4. The General Assembly shall also provide for the levying and collection of an annual poll tax not to exceed one dollar and fifty cents on each poll, which shall be applied to the support of the public schools in the counties in which it is levied and collected."

SEC. 5. The income arising from the sixteenth section trust fund, the surplus revenue fund, until it is called for by the United State government, and the funds enumerated in sections three and four of this article, with such other moneys, to be not less than one hundred thousand dollars per annum, as the general assembly shall provide by taxation or otherwise, shall be applied to the support and maintenance of the public school, and it shall be the duty of the general assembly to increase, from time to time, the public school fund, as the condition of the treasury and the resources of the State will admit."

#### NORMAL SCHOOLS.

From a report submitted to me by State Superintendent John O. Turner, I extract the following information as to the number and location of normal schools, white and colored, with the attendance of pupils at each during the last two years, with amount appropriated to each by the State, and contributions from every other source:

FOR WHITES.—STATE NORMAL COLLEGE AT FLORENCE, ESTABLISHED 1872.

Average general attendance .....	280
Average normal students.....	198
Number of teachers employed....	9 or 10
State appropriation per annum. ....	\$ 7,500

Contribution from Peabody fund. .... 1,500  
 Amount collected from students, unknown  
 Total .....\$ 9,000

STATE NORMAL COLLEGE AT TROY, ESTABLISHED 1877.

Average general attendance, about.... 400  
 Average normal students..... 227  
 Number of teachers employed..... 15  
 State appropriations per annum..... \$3,000  
 Contribution from Peabody fund..... 1,200  
 Donated by city..... 350  
 Average collected for tuition, etc. .... 3,232  
 \$7,782

STATE NORMAL COLLEGE AT JACKSONVILLE, ESTABLISHED  
 1883.

Average general attendance..... 135  
 Average normal students..... 42  
 Number of teachers employed..... 6  
 State appropriation per annum..... \$2,500  
 Township fund..... 350  
 Tuition fees collected..... 614  
 Total..... \$3,464

FOR WHITE GIRLS—STATE NORMAL COLLEGE AT LIVINGSTON,  
 ESTABLISHED 1883.

Average general attendance..... 131  
 Average normal students..... 44  
 Number of teachers employed..... 17  
 State appropriation per annum. .... \$2,500  
 Tuition fees..... 2,827  
 Total..... \$5,327

COLORED STATE NORMAL COLLEGE AT MONTGOMERY, ESTABLISHED 1887.

Average general attendance.....	859
Average normal students.....	272
Number of teachers employed.....	20
State appropriation per annum.....	\$7,500
Peabody fund per annum.....	800
Slater fund per annum.....	2,500
Tuition fees collected per annum.....	2,500
Total.....	<u>\$13,300</u>

STATE NORMAL COLLEGE AT HUNTSVILLE, ESTABLISHED 1885.

Average general attendance.....	306
Average normal students.....	249
Number of teachers employed.....	20
State appropriation per annum. ....	\$ 4,000
This college receives that portion of the Morrill fund set apart from the proceeds of the sale of public lands for the high school education of colored pupils, about 8,000	
Total.....	<u>\$12,000</u>

STATE NORMAL COLLEGE AT TUSKEGEE, ESTABLISHED 1881.

Average general attendance.....	800
Average normal students.....	800
Number of teachers employed.....	64
State appropriation per annum. ....	\$ 3,000
Other contributions during last year....	61,107
Total.....	<u>\$64,107</u>

Amount of donations received from all sources since organization of school.....\$312,842

It will be seen from the foregoing that the general assembly has been appropriating in the aggregate fifteen thousand five hundred dollars per annum for the normal

schools for white pupils, and fourteen thousand five hundred dollars per annum for normal schools for colored pupils, which is a little more for the latter in proportion to population than the amount appropriated for the white schools of this character. The Morrill fund is more equally divided on the population basis. This thirty thousand dollars per annum is appropriated out of the general school fund. It is therefore of interest to look to the sources from which this fund is derived.

The constitution says that "The income arising from the sixteenth section fund" shall go towards making up a school fund "for the equal benefit" of all the children of the state. How did it originate? The sixteenth section trust fund originated by the sale of sixteenth sections of the public lands which were donated or reserved by the State on its admission into the Union solely for the purpose of maintaining public schools. These lands were sold to such an extent and the proceeds received, covered into the State's treasury and used for general purposes so that the State owes on that account one million eight hundred and ninety-four thousand six hundred and seventy-nine dollars. On this sum it pays annually at the rate of six per cent. interest over one hundred and thirteen thousand six hundred and eighty dollars. There is another trust fund in this connection known as the "valueless sixteenth section fund" created in the same way from the proceeds of the sale of sixteenth sections usually regarded as practically worthless. From that source the State received in trust the sums of ninety-seven thousand and ninety-one dollars. On this the State pays six per cent. interest per annum aggregating five thousand eight hundred and twenty-five dollars. The constitution next directs that the income from "the surplus revenue fund, until it is called for by the United States government" shall likewise constitute a part of the general school fund. That originated in this way: In 1836 there was a surplus revenue in the United States treasury of twenty-five million dollars and the Congress finding that this could not, consistently with the constitution, be distributed among the States, because it was in no sense a debt due by the United States to them, passed an act to distribute it among the States on the per capita basis but as a deposit to be returned to

the United States whenever called for. Alabama received as its share six hundred and sixty-nine thousand and eighty-six dollars which Alabama is obligated to return to the United States whenever called upon for it. The State pays four per cent. interest on this amount to the school fund, making twenty-six thousand seven hundred and sixty-three dollars, thus aggregating an interest upon these three items of about one hundred and forty-six thousand dollars per annum to the public school fund. The constitution then further directs that "the General Assembly shall provide by taxation or otherwise, \* \* \* \* \* not less than one hundred thousand dollars per annum \* \* \* \* \* for the support and maintenance of the public schools." It also provides for raising money from other sources not now very fruitful, but under this last clause the General Assembly appropriates three hundred and fifty thousand dollars per annum raised by general taxation, making in the aggregate near five thousand dollars per annum exclusive of the poll tax which the constitution directs shall be used for public purposes in the county where collected. If this poll tax be fully collected it would make the public school fund, annually appropriated and expended for public schools, about seven hundred and fifty thousand dollars.

I am of the opinion that if a specific rate of taxation—say one or one and a half mills on the dollar of taxable property was separated from other State taxes—it would perhaps be more willingly paid by the people, as then they could see just how much they were paying for educational purposes by direct taxation, and how much out of the general fund as interest upon the trust funds before enumerated. You have already appropriated the aggregate amounts above indicated for the use of the public schools during the present year and 1896.

Now a question of some complication presents itself in regard to the Normal schools. The several acts of the General Assembly establishing them provide for an appropriation annually out of the general school fund for their maintenance. The General Assembly passed an appropriation bill, approved December 13th, 1894, in pursuance of constitutional authority, and appropriating therein for the support of public schools the amounts

above named. How can any prior law divert any portion of that appropriation from the public schools and apply it to the Normal schools. In order to do so it must be held that the Normal schools are public schools within the sense of the law and the meaning of the constitution. This is a question which has never been decided by our Supreme Court. That court said in the case of *Elsberry vs. Seay* in Vol. 83 Ala. Reports in construing Article XIII of the constitution that "The constitution intends, and the system must provide for, the location of schools in the various and different localities of the State. To this end, the sixteenth section fund was regarded a trust fund for local schools ; and it was also provided that the annual poll tax shall be applied to the support of the schools in the counties where it is levied and collected. Equality of benefit, embracing all the children, in whatever part of the State, is the fundamental and controlling principle, which must be maintained, if the constitutional requirements are observed \* \* \* \* \* The intention is, that education in the same branches shall be equally accessible to all the children of the State."

It is further said by the court that, "We do not doubt the power of the General Assembly to establish universities, or other institutions of learning, distinct from the public schools, and to make appropriations for this purpose, provided the constitutional majority is obtained; nor the power to repeal, directly or by implication, any act appropriating money for the use of the public schools, provided the school is not thereby reduced below the minimum sum fixed by the constitution. But the legislature is unauthorized, by express or implied repeal, to disturb or destroy the equality of the apportionment of the sum appropriated for public schools. \* \* \* \* \* It cannot be accomplished by a direct appropriation of a part thereof."

The court further said in the same case : Normal schools are mentioned only in section 34 of article IV, which provides : "No appropriation shall be made to any charitable or educational institutions not under the absolute control of the state, other than normal schools established by law for the professional training of teachers for public schools, except by a vote of two-thirds of

all the members elected to each house." This section merely exempts such schools, whether in existence at the time of the adoption of the constitution, or established thereafter, from the requirement that a two-thirds majority shall be requisite to make appropriations for their support. It does not serve to interpret article XIII of the constitution. Normal schools may or may not be regarded a part of the system of public schools, and as adjuncts thereto, according to the provisions of the creating acts. "As to the constitutionality of these acts, or either of them, we neither express or intimate an opinion. They are not before us. It will suffice to decide the question when the necessity arises and it shall become our duty."

It is no argument to say that a normal school is open to all the children of the state of the educational age and is therefore a public school. It may be said with the same propriety that because the University and the Auburn college are open to all the young men of the state that they are therefore public schools. They are inaccessible to all, because of location at only two places and our public school system is founded on the idea of extending educational facilities to the children of every township of the state, and the constitution declares that it was intended to give them equal benefit from the public school fund. Can that be said of the normal schools? There is no doubt, as the supreme court says, of the power of the legislature to establish normal schools for the training of teachers and to appropriate money for their support, but it is a matter of grave doubt whether any more of the public school fund than the due proportion for each of the pupils of school age and attending such schools can be appropriated therefor or applied thereto.

The state in its present financial condition is unable to increase the public school fund. In fact, the state is borrowing money, and paying six per cent. interest thereon, to enable it to keep up the public school fund to as high a point as it was before the deficit in the revenue occurred. Under these circumstances, it seems to me unreasonable, if the constitutionality be conceded, to take any larger amount of the public school fund and apply it to the normal schools than that which they are



now receiving. The thirty thousand dollars which they now receive out of the public school fund should not be increased. If it is done, it is diminution just to that extent of the money intended to be applied with perfect equality to the education of all the children of the state. Normal schools are a necessity, but like all other good institutions, they may be multiplied and fostered to too great an extent.

There are a greater number of teachers now asking for employment than there are schools to be taught by them. Tuition is free at the University and at Auburn and many of the young men educated at those two institutions offer their services as teachers in the public schools. In my opinion there are a greater number of normal schools in the state now than there is an absolute necessity for. I admit that there is a great inequality in the amount given to the two largest normal schools. The one at Florence receives \$7,500 per annum and, though a very excellent school, has a less number of graduates per annum than the school at Troy. One is well located in Northwest Alabama, and the other is equally well located in Southeast Alabama. The school at Troy is an excellent institution, and notwithstanding it has a greater number of pupils attending it than the one at Florence, Troy receives but three thousand dollars per annum of this public school fund. They should approximate equality in the amount of money received.

It has been the policy of the General Assembly for the last twenty years or more to aid and encourage schools for the education of teachers. The schools at Florence and Troy are the largest of their kind in the state, and the latter having somewhat the advantage of the former in the numbers attending it, should be placed more nearly on equality with it in respect to the benefit conferred by legislation. The respective amounts appropriated to these two schools are greatly disproportionate, and as the amount of public school funds now given for the maintenance of normal schools should not be increased, it seems equitable to reduce the amount given to Florence and increase the appropriation for Troy to at least the extent of the reduction.

But in any event inasmuch as the General Assembly passed an appropriation bill at the present session mak-

ing provision for the public schools, without any mention of the normal schools as sharing therein, I advise that a bill be now passed declaring what part of the public school fund shall be paid for the maintenance of all the said normal schools, white and colored. With the facts before you, and the amounts given by special acts to each of such schools, I have no doubt but that you will make a fair, equitable and reasonable appropriation for each. It is not for me but for you to determine what each school shall have. Laying the facts before you ends my duty in the premises.

#### SCHOOL BOOKS.

I have received many complaints from county superintendents, and parties who take a deep interest in the success of our common school system, of the great variety of books required by different teachers and thus involving the parents of the children attending the schools in unnecessary expense for school books. I recommend that a law be passed providing the best means and proper instrumentalities for selecting and adopting a uniform system or series of text-books to be used in all the public schools of the state, or the right may be given to each county. In framing such a law you should be careful to prevent monopoly and extortion on the part of the book-sellers, but I have no doubt of the practicability, utility and economy of such a system. There is nothing which should awaken greater interest in the people and calls for more careful consideration by our legislators than that of fostering and encouraging public school education.

#### IMPROVE THE METHODS OF TEACHING.

There is a marked difference in the old and the new style of teaching. A medium between them would perhaps be the best.

One half of the first session of our higher schools is largely expended in preparations for a display at commencement. It would be more fruitful of good results if pupils, on such occasions, were required to read compositions, or deliver speeches, if at all, which are in fact

original, rather than to read or speak those composed by older heads. Why should all the boys and young men be trained orators? Would not the time of a large majority of them be better spent on mathematics, geography, grammar, philosophy, chemistry and other branches which are more useful to the man of business than to a display of oratorical powers? There is much need of reform in the scholastic methods now in vogue. Let the children be educated to business and something useful, rather than for display.

A greater number of industrial schools should be established. Our agricultural schools are more famous for the number of professionals they graduate than of farmers, mechanics and business men. A greater number of industrial schools are needed in which the young of both sexes may be taught how to work in the most approved and skillful manner, as well as to be familiar with books, painting and music.

Too many are now being educated for a professional career or merely to be shining lights in society. No one can be in a more deplorable condition than the young man or young woman when thus educated and set adrift in the world without money to sustain them. To meet any ill turn of fortune, she should be well trained for domestic work, or that of the school or counting room, and the young man should be made familiar with the work of the shop or the farm as well as his more classical training.

#### THE GIRL'S SCHOOL.

The Industrial School for girls now about to be organized is a step in the right direction, but the law should be amended.

That part of it which provides for free board as well as tuition of one pupil from each congressional district and the modes of selection should be stricken out, and in the administration of the school every facility possible should be employed to make the board and expenses of attending the school as little as possible ; but an ambitious rivalry to excel, among the girls, should be encouraged. A larger appropriation, or some provision for an annual income, to aid in the support of this

school is necessary. It is more in need than some of our Normal schools.

#### THE CONSTITUTION.

An accurate knowledge and proper appreciation of our complex American systems of government can only be obtained through a study of the Constitutions, State and Federal.

Many of the adults—thousands of our voters are grossly ignorant of our fundamental law. I advise that the Constitutions be made a branch of study in our public schools.

These Constitutions should be a part of a school history of our State, arranged with questions and answers.

The children could, in this way, also be made familiar with the history of our State. Nothing will inspire in them a greater love of home and country. Do not fear that such learning will increase the number of politicians of the kind we now have. It will strike terror into the ordinary demagogues, with whom the whole of politics is simply office-getting, without regard to qualification or fitness. It will give an accurate idea of the true objects and grand purposes of our Democratic systems of government. The girls, as well as the boys, should be taught our constitutional systems of government, for while they do not and ought not to vote they exercise a wonderful influence over those who do, and they are equally interested in good government and equally capable of understanding it.

#### LIABILITIES OF THE STATE INDEPENDENT OF THE BONDED DEBT.

I have already called your attention to the fact that the bonds to the A. & M.

College were past due, viz :..... \$ 253,500.00

There never has been any bonds issued to the University evidencing the amount which it is understood the State owes that institution, viz:.....300,000.00

Thus the State owes these two institutions  
for trust funds used. .... 553,500.00

It owes to the schools on account of the  
sixteenth section trust fund..... 1,991,770.00

Total school debt..... \$2,545,270.00

Money deposited with the State by the  
United States government in 1836 and  
subject to be called for at any time  
and on which the State pays 4 per  
cent. interest which goes to the sup-  
port of our public schools..... \$ 669,086.00

Total liabilities not included in the bond-  
ed debt..... \$3,214,356.00

Bonds author-  
lized by law may  
yet be issued.

\$195,600.00  
Annual  
interest.

\$272,176.00  
Amount of Issue.

\$6,804,400.00

DESCRIPTION. Issued 1st July, 1876, under act approved 23d  
February, 1876; due 1st July, 1906; Interest payable semi-annual- ly, 1st January and 1st July in New York;  
bearing in-terest—

1876 to 1881, 5 years, 2 per cent.

1881 to 1886, 5 years, 3 per cent.

1886 to 1896, 10 years, 4 per cent.

1896 to 1906, 10 years, 5 per cent.

\$1,000. Nos. 1 to 4973, No. 4975, Nos. 4977 to 6000.....\$5,998,000.00

\$500. Nos. 6001 to 7254 and Nos. 7256 to 7438 \$718,5000.00

\$100. Nos. 8351 to 9169.....\$81,900.00

Bonds Nos. 4974 to 4976 of \$1,000 each were taken up and cancelled by the Governor, and \$100 bonds to their value issued in lieu of them.

Bond No. 7255 for \$100 was lost in transit to Jno. S.

Bonds authorized by law may yet be issued.

18,000.00  
Annual  
interest.

28,900.00  
Amount of Issue.

578,000.00

DESCRIPTION. Manning, New York, and No. 7438 was issued to him under act approved February 18, 1891.

CLASS B.



(In substitution for bonds issued for State endorsement by railroads, \$4,000 per mile.)  
Issued 1st July, 1876, due 1st July 1906, under an act approved 23d February, 1876, bearing interest at 5 per cent; payable semi-annually, 1st January and 1st July in New York.  
\$1,000. Nos.1 to 578.....

CLASS C.

(In exchange for endorsed bonds of Alabama & Chattanooga Railroad.)  
Issued under act of 23d February, 1876, and dated 1st January, 1876, bearing interest payable 1st January and 1st July in New York, first 5 years—1876 to 1881,

Bonds author-  
ized by law may  
yet be issued.  
30,000.00

---

\$243,600.00  
Annual  
interest.  
38,520.00

\$ 38,160.00

---

\$377,756.00  
Amount of Issue.  
963,000.00

\$ 954,000.00

---

\$9,299,400.00

DESCRIPTION. 2 per cent ; thereafter, 25 years, 1881 to 1906, 4 per cent.  
\$1,000. Nos. 1 to 777 and Nos. 785 to 970, the intervening 7 bonds, issued 28th November, 1878, were taken up and cancelled in payment of missing coupons.

FOUR PER CENT. FUNDING BONDS.

(In redemption of six per cent. bonds.)

Issued under act of 27 February, 1887, and amended the 27th of February, 1889, and dated 1st January, 1890, due 1st January, 1920; interest payable semi-annually, 1st January and 1st July, in New York or at State

Treasury.

\$1,000. Nos. 1 to 854.....\$854,000.00

500. Nos. 1 to 200.....\$100,000.00

Total.....

## ARTICLE XI OF THE CONSTITUTION.

"§ 3. After the ratification of this Constitution, no debt shall be created against or incurred by this State, or its authority, except to repel invasion or suppress insurrection, and then only by a concurrence of two-thirds of the members of each house of the general assembly, and the vote shall be taken by yeas and nays and entered on the journals ; and any act creating or incurring any new debt against the State, except as herein provided for, shall be absolutely void ; Provided, The Governor may be authorized to negotiate temporary loans, never to exceed one hundred thousand dollars, to meet deficiencies in the treasury; and until the same is paid, no new loan shall be negotiated ; Provided further, That this section shall not be so constructed as to prevent the issuance of bonds in adjustment of existing State indebtedness."

The foregoing statement shows that the bonded debt of the state aggregates nine million, two hundred and ninety-nine thousand and four hundred dollars, upon which the state pays in interest three hundred and seventy-seven thousand, seven hundred and fifty-six dollars every year. On January 1st, 1896, the class A bonds will go up to 5 per cent., which will increase the annual interest payable on the debt sixty-eight thousand and forty-four dollars, thus making four hundred and forty-five thousand, eight hundred dollars, to be raised by taxes every year, and paid out for interest on this class of the state's indebtedness.

There are two hundred and forty-three thousand, six hundred dollars in the aggregate, of these different classes of bonds which may yet be issued in exchange for old ones which have not been presented for that purpose.

Twenty years is the greatest length of time allowed to bring suit on any kind of claims. The state has already extended to holders of the old bonds eighteen and a half years to exchange for the new. I recommend that a statute of limitations be passed limiting the time within which the exchange may be made to twenty years. The bonds not presented for exchange, within that time, it is fair to presume, have been lost, or are held by those who refuse to accept the terms of settlement given to

other creditors. I desire the credit and honor of the state, at all times, to be maintained without the slightest deviation. The settlement of 1876 was made when the state's credit was broken down and completely paralyzed by reckless legislation and administration. The state was utterly unable to offer its creditors any better terms than were given. They generally recognized that fact and accepted its propositions, since which the credit of the state has been fully restored to solvency, and some of its bonds are worth a premium. All of them except the 4 per cents last issued, mature July 1st, 1906. The fours in 1920.

The general assembly at the session of 1892-3 passed an act authorizing the governor to refund the different classes of our bonds into a single class, to bear not exceeding 4 per cent., and to run not longer than fifty years. But said act made no appropriation, or other provision, for paying the expenses incident thereto, and hence my predecessor was unable to do anything in that direction. I think it probable if said act be amended and provision be made for paying the necessary expenses of printing, advertising and a reasonable commission for a state agent in New York, that the exchange may be made, and the state largely benefited thereby.

But the holder of a bond bearing 6 per cent. interest would not exchange it for one bearing one per cent. less, merely in consideration of its having a longer period to run before maturity. Some additional inducement would have to be offered. The state might save from fifty to seventy-five thousand dollars a year by an exchange on this basis.

Your law should also provide that the bonds be subject to call for redemption after ten or twenty years, but that the first issued and exchanged, or sold for exchange, should be the last called, and the last exchanged, or sold therefor, should be first called. This would aid the exchange.

The value of a solvent bond in the markets of the world is measured first, by the length of time it has to run, secondly by the rate of interest it bears, and thirdly, by the kind of money in which it is payable. In the United States it makes no difference whether it is payable in gold, silver or paper, because they are all maintained on.

parity with each other. But in Europe our paper money will not circulate, nor will our silver, except at its bullion value.

We want to do the best we can for the state, and I am clearly of opinion that if you authorize the new bonds to be made payable in gold, that they can be sold in London at par, and probably at a small premium, if made to bear only 3½ per cent. and probably at 3, which would save the tax payers of the state about one hundred and forty thousand dollars every year. Why not try it?

The gold is as easily obtained as paper or silver, and while the gold craze is on one side of us and the silver craze is on the other, why not take advantage of it for our people? It is my duty to state facts, and to recommend whatever measure I believe to be to the real benefit of the people. I therefore recommend this legislation, although some crank may call me a "gold bug" for it. I am a bi-metalist—I am in favor of both gold and silver, the money of the constitution and of final redemption. But our state has no jurisdiction over the question of coinage or fixing the standard of value. That belongs to congress. I take the risk of being misrepresented and recommend a measure that will, if adopted, lift a burden off the shoulders of our tax payers of at least one hundred and forty thousand dollars a year. A bill will be presented for your consideration.

#### A SINKING FUND LAW.

Whatever else may be done with the state debt, I recommend that a sinking fund law be enacted for its gradual extinction. A state, like an individual, should strive to get out of debt and, while it exists, to pay as low a rate of interest on it as possible. In proportion as the debt is extinguished the semi-annual payments of interest diminish, and the credit of the state strengthens.

Under the improved methods of assessment of taxes, which I hope to see adopted, I believe that the state will soon make up the existing deficit in the revenues and produce a surplus. If this should result, invest a small amount of that every year in the sinking fund and only good can come of it to our people.

WM. C. OATES,  
Governor.

## GOVERNOR'S MESSAGE.

The governor's message just read was referred to the education committee, and 250 copies were ordered printed.

## REPORT OF JUDICIARY COMMITTEE.

The judiciary committee having considered the governor's message and accompanying papers in reference to a reward offered by the governor for the arrest of the person who assaulted and maimed one Philyaw and wife, report the following resolution :

Resolved, That the papers accompanying said message be returned to the governor for his information with the recommendation that he pay said Stallworth four hundred dollars in full satisfaction of the reward offered in said proclamation, that sum being in the opinion of the committee the sum offered in the governor's proclamation and is reasonable for the services performed.

## AFTERNOON SESSION.

On motion of Mr. Brooks H. 555 was re-committed to a committee consisting of the members from Mobile.

s. 64. To establish the Hayne school district in Lowndes county,

Was amended, read a third time at length and passed—yeas 61, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Dale, Ellis, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graves, Harris, Hearn, Jackson, Jinks, Kelly, Kennedy, Knight, Kyle, Langley, Mastin, Mayfield, Meadows, Mahan, Mills, McClusky, McCorvey, Ott, Patton, Perry, Rabb, Rand, Roach, Robbins, Rowe, Routon, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Taylor, Tuck, Ward, Whitten, Williams of Bullock, Williams of Henry—61.

On motion of Mr. Knight the vote by which the house concurred in senate amendment to,

H. 103. To amend an act entitled an act to incorpor-

ate the Alabama Baptist Colored Normal and Theological School, and all amendments thereto,

Was reconsidered and amendments non-concurred in, and committee of conference requested. Committee on part of the house, Messrs. Knight, Brown of Russell, and Dale.

H. 403. To change the time of making application under the provisions of " an act for the relief of needy confederate soldiers and sailors, residents of Alabama, who from wounds or other cause are now unable to make a livelihood, and for the widows of such as were killed or died in said war, and have not since re-married, approved February 13, 1891;

Substitute adopted, and the bill was read a third time at length and passed—yeas 61, nays 0.

Yeas :

Messrs. Speaker, Barren, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Cole, Cook of Talladega, Cook of Wilcox, Dale, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Grant, Graves, Harris, Hearn, Hill, Jinks, John, Kelly, Kennedy, Killebrew, Maples, Mastin, Mayfield, Mills, Moore, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rabb, Rand, Roach, Robbing, Robinson, Rogers, Rowe, Routon, Savage, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Henry—61.

H. 343. To prohibit the sale or giving away of alcoholic, spirituous, vinous or malt liquors in Henry, Dale, and Geneva counties within five miles of the Dothan High School in Henry county, except it be within the limits of police jurisdiction,

Was read a third time at length and passed—yeas 58, nays 1.

Yeas :

Messrs. Speaker, Banks, Beasley, Beeson, Boykin, Brooks, Brown of Russell, Burks, Burns, Calhoun, Cole, Coleman, Cook of Talladega, Dale, Davis, Deans, Ewing, Fleming, Ford, Forman, Franklin, Fuller, Fulton, Gibbons, Grant, Graves, Harris, Jackson, John, Kelly, Killebrew, Knight, Kyle, Langley, Mastin, Mayfield, Meador, Meadows, Montgomery, McClusky, McCorvy,



McQueen, Ott, Perry, Rabb, Rand, Roach, Robbing, Robinson, Rowe, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Wheelless, Williams of Bullock, Williams of Henry—58.

Nay:

Mr. Hill—1.

H. 326. To amend section one of an act entitled an act to empower the governor of Alabama to re-convey to the United States a certain tract of land upon conditions described in this act, approved February 28, 1889,

Was read a third time at length and passed—yeas 56, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Brown of Russell, Burks, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Dale, Ellis, Ewing, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graves, Hearn, Jackson, John, Kelly, Kennedy, Knight, Langley, Lipscomb, Mastin, Mayfield, Meadows, Mahan, Mills, Mixon, McClusky, McCorvey, Ott, Perry, Prowell, Roach, Robbins, Robinson, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Tuck, Turner, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry—56.

H. 529. To prohibit obtaining property by false pretenses under contract for performance of act or service in the counties of Lowndes, Wilcox, Monroe and Hale.

The bill was so amended so as to include the counties of Sumter, Tuscaloosa, Bullock, Dallas, Montgomery, Lamar, Barbour, Madison, Colbert and Marengo in its operations,

And the bill was read a third time at length and passed—yeas 42, nays 39.

Yeas:

Messrs. Barren, Beeson, Brooks, Burns, Cameron, Coleman, Cook of Wilcox, Dale, Davis, Fleming, Fletcher, Fuller, Fulton, Graves, Hill, Jinks, John, Knight, Kyle, Lipscomb, Maples, Mayfield, Mahan, Montgomery, McClusky, McQueen, Ott, Patton, Perry, Prowell, Rand, Robinson, Rogers, Rowe, Screws, Scale, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Whitten, Williams of Henry—42.

Nays:

Messrs. Speaker, Banks, Beasley, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Cook of Talladega, Ewing, Fielding, Franklin, Gains, Gibbons, Grant, Harris, Hearn, Jackson, Kelly, Killebrew, Langley, Mastin, Meadows, Mills, Mixon, Rabb, Reaves, Robbins, Savage, Scarborough, Smith of Butler, Summers, Taylor, Ward, Wheelless, Williams of Bullock—39.

Mr. Maples moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

The motion was lost.

The question recurring upon the motion to reconsider the vote by which the bill was passed,

Mr. Cameron moved to indefinitely postpone the consideration of the question.

Mr. Kelly moved to lay Mr. Cameron's motion on the table, and the motion was carried.

Mr. Knight moved that the further consideration of the motion of Mr. Maples to reconsider be postponed till to-morrow morning.

Mr. Kelly moved to lay Mr. Knight's motion on the table, and Mr. Kelly's motion was lost.

Mr. Hill moved to amend Mr. Knight's motion so as to postpone till to-morrow afternoon.

And the house adjourned till 10 o'clock to-morrow morning.

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### THIRTIETH DAY.

HOUSE OF REPRESENTATIVES,  
JANUARY 24, 1895.

House met pursuant to adjournment.

Prayer by Rev. Mr. Roper of the city.

A quorum was present.

### REVISION OF JOURNAL.

The committee on the revision of the journal, reported the journal of yesterday in all respects correct.

## UNFINISHED BUSINESS.

Mr. Whitten made a motion to indefinitely postpone the consideration of the motion made by Mr. Hill on yesterday to postpone until 4 o'clock this afternoon the consideration of the motion heretofore made by Mr. Maples.

Mr. Kelly moved to table Mr. Whitten's motion.

Carried.

The question then recurred upon Mr. Hill's motion to postpone Mr. Willett's motion to table Mr. Hill's motion, and Mr. Willett's motion prevailed.

Mr. Forman demanded the previous question, which was ordered, and the house refused to reconsider the vote by which the bill H. 529 was passed on yesterday.

## SPECIAL ORDER.

The house proceeded with the regular order which was the consideration of

H. 301. To confirm the incorporation and organization of the "Bank of Selma," and to grant it additional powers,

And the bill, was read a third time at length, and lost—yeas 5, nays 72.

Yeas:

Messrs. Burns, Camp, Graham, Rabb and Tuck.

Nays :

Messrs. Speaker, Banks, Barren, Beasley, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cole Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Dean, Ellis, Ewing, Fielding, Fletcher, Forman, Franklin, Fuller, Fulton, Gibbons, Grant, Graves, Harris, Hearn, Jackson, John, Kennedy, Killebrew, Knight, Kyle, Langley, Manning, Mastin, Mayfield, Meadows, Mahan, Mills, Montgomery, Moore, McClusky, Ott, Patton, Perry, Rand, Roach, Robbins, Robinson, Rowe, Routon, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Taylor, Turner, Ward, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry—72.

Mr. Brown of Russell, moved to reconsider the vote by which the bill was lost.

Mr. Knight moved to table Mr. Brown's motion, and Mr. Knight's motion prevailed.

MESSAGE FROM THE SENATE.

Mr Speaker:

The senate has originated and passed the following bill:

s. 21. To provide for holding elections for the adoption of stock law in Cleburne county, and to provide for carrying it into effect when it shall be adopted;

s. 128. To provide a penalty against any county court judge, or judge of any county court for failure to hold court, and to provide how much penalty shall be enforced ;

s. 188. To, repeal sections nine and ten of an act of the General Assembly of Alabama, approved February 19th, 1883, and entitled an act to incorporate the Bienville Water Supply Company ;

s. 198. To amend sections two and three of an act entitled an act to regulate Mobile harbor, approved February 28th, 1889 ;

s. 199. To amend sections six, eleven, fifteen, twenty-one, twenty-five, thirty-four, forty and fifty-one, of an act entitled "an act to amend an act entitled an act to incorporate the port of Mobile, and to provide for the government thereof, approved December 10th, 1886 ;"

s. 225. To establish the Pintlala School District in Lowndes county;

And has amended as therein shown, and as amended, has passed the house bill

H. 98. To prevent the sale, exchange and buying'of seed cotton in Perry county, and of seed cotton produced in said county ;

H. 351 To amend section three (3) of an act entitled an act "To define and prescribe a lawful fence in certain portions of the county of Madison, approved February 28th, 1889;

And has adopted joint resolution, herewith sent,

Relieving the secretary of state from liability for books used by members of the general assembly, and receipted-for to him by the door-keepers of the two houses,

And has originated and passed the following bill:

s. 201. To fix the time of holding the chancery courts in the counties of Monroe and Perry.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once, and referred to the committees, as follows :

Local legislation, s. 21;

Judiciary, s. 128, 201;

Corporations, s. 188, 198;

Education, s. 225 ;

Special committee consisting of the delegation from Mobile, s. 199;

Rules, S. J. R. referred to in above message,

And the house concurred in the senate amendments to H. 98. To prevent the sale, exchange and buying of seed cotton in Perry county, and of seed cotton produced in said county.

Yeas 67, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fleming, Fletcher, Ford, Franklin, Fulton, Gains, Gibbons, Grant, Graves, John, Kelly, Kennedy, Killebrew, Knight, Langley, Manning, Maples, Mastin, Mayfield, Meadows, Mahan, Mills, Mixon, Moore, McClusky, McCorvey, Ott, Perry, Prowell, Rand, Roach, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Butler, Summers, Tuck, Turner, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry—67.

Also to

H. 351. To amend section 3 of an act entitled an act to define and prescribe a lawful fence in certain portions of the county of Madison, approved February 28, 1889,

Yeas 62, nays 0.

Yeas :

Messrs. Speaker, Banks, Beasley, Bellinger, Boykin,

Brown of Russell, Burks, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deans, Ellis, Ewing, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gibbons, Grant, Graves, Hearn, Jackson, Jinks, Kennedy, Killebrew, Knight, Langley, Lipscomb, Maples, Mastin, Meadows, Mahan, Mixon, Moore, McClusky, Ott, Perry, Rabb, Roach, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Mobile, Taylor, Tuck, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry—62.

The house having under consideration

H. 165. To prescribe the manner of election of the recorder of the city of Montgomery,

Mr. Clark moved to table the bill, which was carried.

Yeas 38, nays 36.

Yeas :

Messrs. Speaker, Barren, Beeson, Brooks, Camp, Coleman, Cook of Talladega, Ewing, Fielding, Fleming, Fletcher, Franklin, Fulton, Grant, Hill, Jackson, John, Kennedy, Langley, Mayfield, Meadows, Mahan, Ott, Patton, Perry, Rand, Roach, Robinson, Rowe, Scarborough, Smith of Greene, Summers, Tuck, Turner, Wheelless, Willett, Williams of Bullock, Williams of Henry—38.

Nays:

Messrs. Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Cole, Cook of Wilcox, Curtis, Dale, Davis, Gibbons, Graves, Jinks, Kelly, Killebrew, Knight, Maples, Mastin, Meador, Mixon, Moore, McClusky, McCorvey, Prowell, Rabb, Robbins, Routon, Sanford, Screws, Seale, Smith of Butler, Smith of Mobile, Taylor, Ward—36.

## RESOLUTIONS,

The resolution offered by Mr. Killebrew to recall from the governor house bill 479 and requesting the presiding officers to erase their signatures therefrom, was adopted.

## INTRODUCTION OF BILLS.

On a call of the counties bills were introduced, sever-

ally read one time and referred to appropriate committees, as follows :

By Mr. Bellinger—

H. 826. To establish a separate school district to be known as the Summit School District in Blount county, Education ;

By Mr. Jinks—

H. 827. To define what municipal corporations are cities, what towns and what are villages, Corporations ;

By Mr. Kelly—

H. 828. To prevent the double prosecution and punishment in the courts of this state of persons who have been previously tried for misdemeanors before the mayor, recorder or acting recorder of any incorporated towns or cities in this state, and to prescribe the duty of such mayor, recorder, or acting recorder, in cases where persons are brought before them on a charge which is made a felony under the laws of this state,

Judiciary;

Also,

H. 829. To incorporate the Security Banking & Loan Company of Birmingham, Alabama, Corporations ;

By Mr. Ewing—

H. 830. To authorize the commissioners courts of Cherokee, Etowah and DeKalb counties to levy a tax for working the public roads of said counties and to let out said roads by contract,

Public roads and highways ;

By Mr. Hearne—

H. 831. To amend section 58 of the code, Appropriations;

Also,

H. 832. To amend section 97 (86) of the code, Appropriations ;

Also,

H. 833. To amend section 118 (104) of the code, Appropriations ;

Also,

H. 834. To repeal section 3177 (3432) of the code, Privileges and elections ;

Also,

H. 835. To amend section 128 (110) of the code,  
Appropriations;

Also,

H. 836. To amend section 59 of the code,  
Appropriations;

Also,

H. 837. To amend section 946 of the code,  
Appropriations;

Also,

H. 838. To amend section 99 (88) of the code,  
Appropriations;

Also,

H. 839. To amend section 136 of the code,  
Appropriations;

Also,

H. 840. To amend section 66 of the code,  
Appropriations;

Also,

H. 841. To amend section 58 of the code,  
Appropriations;

Also,

H. 842. To amend section 132 of the code,  
Appropriations;

Also,

H. 843. To amend section 86 (75) of the code,  
Appropriations;

Also,

H. 844. For the relief of Tony Horn of Choctaw county,  
Appropriations;

By Mr. Mixon—

H. 845. To create and establish Keyton School District in Coffee county, Alabama,  
Education;

By Mr. Rand, by request—

H. 846. To prevent hunting on the inclosed land of another without the written consent of the owner or his agent or party in possession in that portion of Colbert county north of townships four and five,  
Local legislation;

By Mr. Burns—

H. 847. To amend section one of an act entitled an



act to establish a court of county revenues for Dallas county, approved February 18, 1876,

Judiciary;

By Mr. Ellis—

H. 848. To prohibit the manufacture of vinous, spirituous or malt liquors or other intoxicating beverages within one mile of the M. E. church at the village of Elmore, in Elmore county, and to prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors or other intoxicating beverages within four miles of said church,

Temperance;

Also, with notice and proof,

H. 849. To relieve M. D. Still of Elmore county Alabama, of the disabilities of non-age,

Judiciary;

By Mr. Beeson—

H. 850. To establish a separate school district in Etowah county, in Alabama, to be known as Aurora School District and to define the boundaries thereof,

Education;

By Mr. Savage—

H. 851. To exempt from road duty township trustees in the county of Fayette,

Education;

By Mr. Mills—

H. 852. To amend an act to incorporate the town of Eunola, in Geneva county,

Corporations;

Also,

H. 853. To amend an act entitled an act to incorporate the town of Geneva, in Geneva county, approved March the 4, 1875,

Corporations;

Also,

H. 854. To establish a separate school district for the town of Geneva,  
education;

By Mr. Knight—

H. 855. To amend section 3775 of the code of Alabama, in relation to carrying concealed weapons,

Judiciary;

Also,

H. 856. To make repairs on the capitol building, for furniture in the public rooms, and for work on the capitol grounds,

Appropriations;

By Mr. Ward—

H. 857. To amend section 2 and 3 of an act entitled an act to incorporate the town of Abbeville, in the county of Henry, approved February 8, 1872,

Corporations;

By Mr. Roach, with notice and proof—

H. 858. To change the name of Charles Preston Farr to that of Charles Preston Gullatt,

Judiciary;

By Mr. Lipscomb—

H. 859. To amend sub-division 1 of section 18 of an act entitled an act to establish a new charter for the city of Bessemer, approved February 21, 1893,

Corporations;

By Mr. Fulton, by request,

H. 860. To amend section 2 of an act entitled an act to make further provisions for the duties of coroner, and the costs of coroners inquests, approved February 28, 1887, so far as same relates to Jefferson county,

Revision of laws;

By Mr. Lipscomb—

H. 861. To change, define and establish the line between the counties of Jefferson and Walker,

Counties and county boundaries;

By Mr. Montgomery—

H. 862. To incorporate the Fidelity Trust Company, Jefferson delegation;

By Mr. Ott—

H. 863. To regulate the issuing of certificates to teach in the public schools in the state of Alabama,

Education;

By Mr. Jackson—

H. 864. For the relief of Claude E. Crittenden, a minor,

Judiciary;

By Mr. Whitten—

H. 865. To establish a new charter for the town of Hayneville,

Corporations;

Also,

H. 866. To repeal an act entitled an act to define the corporats limits of the town of Hayneville and for other purposes, approved February 9, 1852,

Corporations;

Also,

H. 867. To repeal an act entitled an act to incorporate the town of Hayneville, approved December 15, 1831,

Corporations;

Also,

H. 868. To repeal an act approved December 16, 1845, entitled an act to amend an act to incorporate the town of Hayneville, approved December 15, 1831,

Corporations ;

Also,

H. 869. To repeal an act to provide for holding an election for mayor and aldermen in the town. of Hayneville in Lowndes county, in this state, approved February 19, 1873,

Corporations;

Also,

H. 870. To repeal an act to incorporate town of Lowndesboro in Lowndes county and to amend the charter of Hayneville, approved February 20, 1866, so far as the same applies or relates to Hayneville,

Corporations;

By Mr. Fletcher—

H . 871. To establish a new charter for the city of Huntsville,

Corporations;

By Mr. Robinson—

H. 872. To authorize the city of Mobile to build or otherwise acquire a system of water works and operate the same,

Corporations;

By Mr. Davis—

H. 873. To consolidate and adjust the bonded debt of the state of Alabama,

Ways and means;

Also,

H. 874. To amend section 2083 of the Code of 1886,

Judiciary;

By Mr. Screws—

H. 875. To authorize the Van Kirk Land and Construction Company to borrow money and secure its payment,

Corporations ;

By Mr. Sanford, (by request)—

H. 876. To charter the Farmers Mutual Live Stock Insurance Association of Alabama,

Corporations ;

By Mr. Mahan, (with petition)—

H. 877. To locate permanently the seat of justice or county site of Morgan, Alabama,

Privileges and elections;

By Mr. Fleming—

H. 878. To amend an act entitled an act for the relief of needy Confederate Soldiers and Sailors, residents of Alabama, approved February 13, 1891,

Appropriations ;

By Mr. Seale, (by request)—

H. 879. To record judgments rendered in courts of Justices of the Peace and to declare such judgments a lien on property from the time of record,

Judiciary ;

By Mr. Camp (with notice and proof)—

H. 880. Providing for the payment of the costs in certain cases where defendants were convicted of felonies in the city court of Talladega, and after serving part of their respective terms in the penitentiary were released,

Judiciary;

Also,

H . 881. To require Insurance Companies doing business in this state, to file a statement of their condition, with the Secretary of State, to require the Secretary of State to file the same in his office and to require such company to publish a copy thereof in some daily newspaper in the state at least five times and to require such company to pay for such publication,

Banking and insurance ;

Also,

H. 882. To fix the liabilities of persons, firms, companies, corporations and associations insuring property against loss by fire, water, storm, or other casualty in certain cases,

Corporations;

By Mr. Cook of Talladega—

H. 883. To amend section four of an act to incorporate the city of Syllacauga, approved February 26, 1887,

Corporations ;

By Mr. Mayfield—

H. 884. To amend an act to incorporate the city of Tuskaloosa, approved March 12th, 1873, by the addition of the following to be numbered section 102, in reference to the levying, assessment and collection of taxes on personal and real property by the mayor and aldermen of the city of Tuskaloosa, and the sale of the same for the payment of any taxes and costs due said city,

Judiciary;

Also,

H. 885. To incorporate the town of West Blocton in the county of Bibb and state of Alabama,

Corporations;

By Mr. Gains (by request)—

H. 886. To amend the charter of the town of Carbon Hill in Walker county, Alabama,

Corporations ;

By Mr. Turner—

H. 887. To amend section 2056 of the Code of Alabama, in relation to additional bonds of Sheriffs and Coroners,

Revision of laws;

By Mr. John—

H. 888. To authorize the mayor and aldermen of Birmingham to issue bonds of said city to take up, cancel, fund and retire the outstanding bonded indebtedness of said city, to establish a Reformatory and work farm in Jefferson county and to purchase and establish in the city of Birmingham a Police and Electric Alarm-System,

Also,

H. 889. To require Rail Roads to be fenced or to pay for all live stock killed on the track thereof where not fenced,

Judiciary;

Also,

H. 890. To define the powers and duties of the board.

of police commissioners of Birmingham, Alabama, and to regulate the police department of said city and provide for the appointment of such commissioners,

Corporations;

Also,

H. 891. To regulate the practice in the courts of law in this state,

Judiciary;

By Mr. Montgomery—

H. 892. To amend section 2 of an act entitled an act to constitute the town of Warrior a separate school district, approved February 17, 1885,

Education ;

By Mr. Hill—

H. 893. To regulate the holding of lands in the State of Alabama by aliens or by any firm, company or corporation a majority of whose property or stock is held and bona fide owned by an alien or aliens,

Judiciary;

By Mr. Clark (by request with notice and proof)—

H. 894. To prevent stock from running at large in the following territory in Coosa county commencing at the N. W. corner of Sec. 15, T. 22, R. 19, running north to Socopatoy creek thence N. E. along said creek to the line of Socopatoy beat, thence south along the beat line of Socopatoy and Crews beat, to the Lauderdale beat, thence along Lauderdale and Crews beats line to commencing point,

Local Legislation ;

By Mr. Knight, by request—

H. 895. To authorize C. L. James, the guardian of Amanda James, a lunatic, and widow of James James, deceased, to convey the right of dower of said Amanda James in certain lands, without order of court,

Revision of laws.

#### BILLS ON SECOND READING.

The chairmen of the several committees, reported favorably on the following bills :

s. 186. To authorize a grantee of real or personal property held adversely to sue therefor in his own name, (With amendment);

H. 703. To amend section two (2) of an act entitled "an act to create a new charter for the city of Florence, Alabama," approved February 28th, 1889 ;

H. 639. To establish a charter for the town of Pollard, Alabama;

H. 683. To amend subdivisions 4 of section 3, 3 section 4, 58 of section 5, 59 of section 5, 5 of section 9 and section 10 of an act entitled an act "to establish a new charter for the town of Dothan, in Henry county," approved Dec. 10th, 1890 ;

H. 822. To amend an act to amend section 141 of the code of Alabama, approved Dec. 12, 1892, (with amendment) ;

H. 798. To provide for an election in the various precincts in the county of Talladega, on the subject of stock running at large in said precincts in said county ;

H. 799. To amend sections one and two of an act to establish partial stock law districts in Talladega county, approved February 21, 1887, and all acts amendatory of said sections of said act;

H. 676. To amend an act entitled an act to better provide for keeping up the public roads of Escambia county, which became a law February 15th, 1893 ;

H. 746. For the relief of S. W. McDowell;

H. 690. To limit the criminal jurisdiction of justices or the peace and notaries public, with the powers of justices of the peace, in precincts twenty-one (21) and thirty-seven (37) in Jefferson county, and in all the wards of the city of Birmingham ;

H. 684. To repeal an act "to authorize the board of mayor and aldermen of the town of Dothan to negotiate a loan for the purpose of improving, grading and draining the streets, avenues and alleys of said town, establishing water works, fire department, electric light plant and the payment of the town's indebtedness, and for other various improvements of said town," approved February 16th, 1891;

H. 281. To provide for the appointment of county solicitors, their duties, fees and term of office, to fill vacancies in the office and the appointment of county solicitors pro tern and their fees,  
(With amendments) ;

H. 708. To allow justices of the peace and notaries

public ex-officio justices of the peace to go bail except in cases tried, or to be tried, before them in Lowndes county;

H. 709. To provide for the appointment of four inspectors of the public roads in Lowndes county, and to define the duties and powers of such inspectors;

H. 710. To give justices of the peace and notaries public, ex-officio justices of the peace exclusive original jurisdiction in the county of Lowndes, to try persons charged with a violation of the criminal law relating to public roads in all cases where they now have jurisdiction to try such cases ;

H. 713. To amend section one of an act entitled an act to amend section 2 of an act entitled an act to amend section 1 and 12 of an act entitled an act to regulate the taking of oysters from the public reefs in this state, for sale or planting, approved December 10th, 1892, and to repeal an act entitled an act to regulate the planting and taking of oysters in the waters of this state, approved February 18th, 1891, which act hereby amended, was approved December 14th, 1894, and to repeal sections 10 and 13 of an act entitled an act to regulate the taking of oysters from the public reefs in this state for sale or planting, approved Dec. 10th, 1892 ;

H. 704. To prevent in certain cases the sale, exchange and transportation of cotton in the seed in the county of Lee, and of cotton in the seed produced in said county;

H. 765. To create a separate school district in the town of Brewton, Alabama, to define its boundaries and provide for the maintenance of schools therein ;

H. 663. To establish a separate school district to be known as Hulaco school district in Cullman county, Alabama;

H. 748. To incorporate the Anniston Hose Company, No. 4, located in the city of Anniston, Calhoun county, Alabama;

H. 605. To authorize the Montgomery Shooting Club to borrow money, and to execute a mortgage on their property to secure the payment thereof or any other debt contracted by it;

H. 707. To amend section 1397 (1631) of the code of 1886, as to the county of Lowndes;

H . 706. To amend section 1396 (1630) of the code of 1886, as to the county of Lowndes ;



H. 626. To create the northern chancery division and provide for the appointment of a chancellor thereof and fix the times of holding chancery courts therein;

H. 727. For the relief the representative of Gaylord B. Clark, deceased;

H. 689. To establish an inferior court of criminal jurisdiction in the city of Birmingham, define its powers and provide for the election of a judge and appointment of a clerk thereof,

(With amendments) ;

H. 693. To amend sections 3739, 4306 of the code of Alabama;

H. 691. To provide for making a jury roll for and to regulate the drawing of grand and petit juries of Jefferson county, Alabama;

H. 559. To amend section 1 and 2 of an act to regulate the sale of real estate in the city of Montgomery, Alabama, for unpaid taxes assessed for municipal purposes, approved February 10, 1887;

H. 454. To amend section 1836 of the code of Alabama ;

H. 367. For the relief of the Philadelphia Mortgage and Trust Company, of Philadelphia, Pa., and the British and American Mortgage Company, limited, of London, England;

H. 685. To create a separate school district in Henry county, to be known as Briar Creek School District and to define the boundaries thereof;

H. 773. For the relief of S. W. Chadwick, registrar of Hale county, for services rendered;

H. 682. To authorize the board of mayor and aldermen of the town of Dothan to issue and negotiate bonds of said town to an amount not exceeding twenty thousand dollars for the establishing and maintaining water works, fire department, improving the streets of said town and for paying off the indebtedness of the town.

The above and foregoing bills, were severally read a second time, and placed on the calendar.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

The committee on enrolled bills report the following bills correctly enrolled:

H. 94. To amend an act to provide for the appointment of an official stenographer for the circuit and chancery courts in the county of Mobile, and the city court of the city of Mobile, and to define his duties and regulate his compensation, approved February 12th, 1879 ;

H. 392. To incorporate the Etowah Male and Female Institute in Etowah county, Alabama ;

H. 439. For the improvement of the public roads in Bullock county;

H. 474. To incorporate the Eufaula District Academy of the M. E. Church South.

J. H. MONTGOMERY,  
Chairman.

#### SIGNING BILLS.

The speaker of the house in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set forth in the foregoing report of committee on enrolled bills.

#### AFTERNOON SESSION.

H. 552 was re-committed to the committee on temperance.

#### BILLS ON THIRD READING.

s. 30. To regulate and prescribe the manner of electing the county commissioners of Bibb county,

Was read a third time at length and lost—yeas 24, nays 40.

Yeas:

Messrs. Barren, Boykin, Brooks, Brown of Russell, Burns, Dale, Davis, Fletcher, Grant, John, Kelly, Lipscomb, Mayfield, Montgomery, Moore, Patton, Prowell, Robinson, Smith of Autauga, Smith of Butler, Smith of Mobile, Tuck, Turner, Williams of Henry—24.

Nays:

Messrs. Speaker, Banks, Beasley, Brown of Conecuh, Burks, Calhoun, Camp, Cole, Coleman, Cook of Talla-

dega, Cook of Wilcox, Curtis, Deans, Ellis, Ewing, Forman, Franklin, Fuller, Gains, Gibbons, Graves, karris, JSearn, Jackson, Killebrew, Kyle, Langley, Manning, Mastin, Meadows, Mahan, Mills, Mixon, McClusky, Robbins, Routon, Summers, Taylor, Ward, Wheelless, Williams of Bullock—40.

H . 379. To establish and define the corporate limits of the city of Gadsden, approved February 18th, 1891,  
Was amended, read a third time at length and passed—yeas 54, nays 0.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Cook of Wilcox, Davis<sup>1</sup>, Ewing, Fielding, Fleming, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Jackson, Kelly, Kennedy, Killebrew, Langley, Manning, Mastin, Mayfield, Meadows, Mills, Moore, McClusky, Ott, Patton, Rabb, Rand, Robinson, Routon, Savage, Scarborough, Summers, Taylor, Tuck, Wheelless, Williams of Bullock, Williams of Henry—54.

H. 333. To amend section 533 of the code,  
Was read a third time at length and passed—yeas 66, nays 0.

Yeas:

Messrs; Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Curtis, Dale, Davis, Deans, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Langley, Maples, Mastin, Meadows, Mahan, Mixon, Moore, McCorvey, Ott, Patton, Perry, Rabb, Rand, Roach, Robinson, Rowe, Routon, Sanford, Savage, Smith of Autauga, Smith of Greene, Tuck, Ward, Williams of Bullock, Williams of Henry—55.

H. 545. To regulate the fine and forfeiture fund of Barbour county,

A substitute was adopted with title as follows :

To regulate the fine and forfeiture fund of Barbour county, and the disposal of moneys arising from fines, forfeitures and convict labor;

And the bill was read a third time, at length, and passed—yeas 62, nays 0.

Yeas:

Messrs. Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Burks, Burns, Calhoun, Gamp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Gewin, Gibbons, Graves, Jackson, Jinks, Kelly, Langley, Maples, Mayfield, Meador, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, Patton, Prowell, Rabb, Rand, Reaves, Roach, Robinson, Sanford, Savage, Scarborough, Smith of Butler, Smith of Greene, Smith of Mobile, Turner, Williams of Bullock—52.

H. 674. To provide the ways and means to establish, open, improve, work, and keep in good condition the public roads in Dallas county,

Was read a third time, at length, and passed—yeas 52, nays 0.

Yeas:

Messrs. Barren, Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Burks, Burns, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Dale, Davis, Fielding, Fletcher, Forman, Franklin, Fuller, Fulton, Gibbons, Graves, Hill, Jackson, Kennedy, Langley, Manning, Maples, Mayfield, Meadows, Mills, Moore, McClusky, McCorvey, Patton, Perry, Prowell, Rabb, Rand, Roach, Robinson, Rowe, Routon, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Williams of Bullock, Williams of Henry—52.

H. 485. To appropriate the sum of eleven hundred and sixty-three 20-100 dollars, to pay for expenses of legislative assembly of 1892 and 1893.

A substitute was adopted with title as follows :

To appropriate the sum of eleven hundred and sixty-three dollars and twenty cents to meet the deficiency in the appropriation for per diem and mileage of members, officers and employees of the General Assembly at the session of 1892-93, and to ratify the action of the Auditor and Treasurer in paying out the same ;

And the bill was read a third time, at length, and passed—yeas 54, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Burks, Cameron, Camp, Cole, Coleman, Cook of Talladega, Dale,

Davis, Ewing, Fielding, Fleming, Franklin, Fuller, Fulton, Gibbons, Graham, Grant, Graves, Hill, Jinks, Kelly, Kennedy, Mayfield, Meadows, Mills, Montgomery, Moore, McClusky, McCorvey, Patton, Perry, Prowell, Rand, Robinson, Routon, Savage, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry—54.

H. 386. To refund to P. W. Chastang the sum of eighty dollars being purchase money for certain land heretofore erroneously sold him by the state,

Was read a third time, at length, and passed—yeas 56, nays 0.

Yeas :

Messrs. Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Dale, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gibbons, Grant, Hearn, Hill, Kelly, Kennedy, Maples, Mastin, Mayfield, Meadows, Mahan, Mixon, Moore, McCorvey, McQueen, Patton, Prowell, Rabb, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Ward, Whitten, Williams of Bullock—56.

H. 564. To establish a separate school district to be known as the Crane Hill school district in Cullman county, Alabama,

Was read a third time, at length, and passed—yeas 53, nays 0.

Yeas:

Messrs. Banks, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fleming, Fletcher, Forman, Franklin, Fulton, Gibbons, Graham, Grant, Graves, Harris, Kelly, Kennedy, Killebrew, Maples, Mastin, Meadows, Mahan, Mills, Moore, Ott, Perry, Prowell, Rabb, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Ward, Wheelless, Williams of Bullock—53.

H. 449. For the relief of the sureties of R. A. Tompkins, late tax collector of Franklin county,

Was read a third time at length, and passed—yeas 53, nays 0.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Davis, Deans, Ewing, Fielding, Ford, Forman, Franklin, Fuller, Fulton, Gibbons, Graham, Grant, Graves, Hearn, Kelly, Kennedy, Knight, Lipscomby, Maples, Mastin, Mahan, Mills, Moore, McClusky, Ott, Patton, Perry, Rogers, Rowe, Smith of Autauga, Smith of Buttler, Smith of Greene, Taylor, Tuck, Ward, Whitten, Williams of Bullock, Williams of Henry—53.

H. 336. To provide a clerk for the county court of Clarke county and to regulate his fees.

A substitute, with the same title was adopted, and was read a third time at length, and passed—yeas 53, nays 0.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Burks, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Hearn, Kelly, Kennedy, Maples, Meadows, Mills, Montgomery, McClosky, McCorvey, Ott, Patton, Perry, Rabb, Robbins, Robinson, Rogers, Rowe, Routon, Scarborough, Smith of Autauga, Smith of Butler, Smith of Mobile, Taylor, Tuck, Whitten—53.

H. 323. To amend section 3091 (3496) of the code of 1886,

Was read a third time at length and passed—yeas 43, nays 10.

Yeas:

Messrs. Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Burks, Calhoun, Cameron, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ellis, Fielding, Fletcher, Gibbons, Grant, Graves, Hearn, Hill, Kelly, Knight, Langley, Lipscomb, Mastin, Meador, Meadows, McCorvey, Patton, Perry, Prowell, Rabb, Robbins, Robinson, Rogers, Rowe, Scarborough, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Turner, Williams of Henry—43.

Nays:

Messrs. Beasley, Burns, Cole, Coleman, Franklin, Fuller, Maples, Smith of Autauga, Summers, Whitten, —10.

H. 562. To amend sections one, two, five, eight, eleven and fourteen of an act entitled an act to ratify and confirm the organization of the Tredegar Mineral Railroad and to confirm and amend the charter thereof, approved February 21st, 1893,

Was read a third time, at length; and passed—yeas 59, nays 0.

Yeas:

Messrs. Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Curtis, Dale, Davis, Ewing, Fleming, Fletcher, Forman, Fuller, Fulton, Gewin, Gibbons, Grant, Graves, Harris, Kelly, Kennedy, Knight, Mayfield, Meadows, Mahan, Mills, Mison, Montgomery, McClusky, McCorvey, McQueen, Ott, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robinson, Rogers, Rowe, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Ward, Williams of Bullock, Williams of Henry—59.

H. 384. To better prevent the commission of trespass upon lands in Wilcox county, Alabama,

Was read a third time, at length, and passed—yeas 56, nays 1.

Yeas :

Messrs. Barron, Beaseley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Grialiam, Graves, Kelly, Knight, Maples, Mayfield, Meador, Meadows, Mahan, Mixon, McClusky, McCorvey, McQueen, Ott, Patton, Prowell, Roach, Robbins, Robinson, Rowe, Sanford. Scarborough, Smith of Butler, Smith of Mobile, Tuck, Ward, Wheelless, Whitten, Williams of Bullock—56.

Nays :

Mr. Rabb.

And the house adjourned until to-morrow morning at 10 o'clock.

THIRTY-FIRST DAY.

HOUSE OF REPRESENTATIVES ,

January 25, 1895,

The house met pursuant to adjournment.  
Prayer by Rev. Mr. Roper, of the city.  
A quorum was present.

REVISION OF JOURNAL.

The committee on revision of the journal reported the journal of yesterday correct.

REPORT OF COMMITTEES.

The committee on rules reported favorably on the following resolution :

To authorize the committee on enrolled bills to employ a reading clerk, said clerk to be required to work in the office of enrolling clerk when not employed by the committee, which was adopted and returned without recommendation.

Mr. Maples' resolution to refer all bill for relief of persons to a committee appointed by the speaker that the same may be consolidated into one bill, known as a sundry relief bill,  
Which was lost.

RESOLUTIONS.

By Mr. Kelly—

Resolved, That the doorkeeper be and is hereby instructed to furnish the senate with fifty printed copies of house bill entitled an act to amend the revenue laws of the State of Alabama prepared and reported by the joint committee of the senate and house.

The rules were suspended and the resolution adopted.

REPORT OF COMMITTEE ON RULES.

The following resolutions, being favorably reported by the committee on rules were adopted :



House joint resolution raising joint committee to re-district the judicial circuits of the state;

House committee, Messrs. Mayfield, Davis and Williams of Henry.

Also,

Senate joint resolution relieving the secretary of state of liability for books delivered to members.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

The committee on engrossed bills report the following bills correctly engrossed:

Nos. 255, 344, 354, 363, 369, 381, 400, 423, 440, 518, 47,502,579 207, 296,28, 623, 76, 264, 278,403, 326, 343, 333, 379, 545, 562, 485, 323,336, 449, 564, 384, 386, 301.

CHAS. A. WHITTEN,  
Chairman.

#### LEAVE OF ABSENCE.

Was granted to Messrs. Manning and Reaves for one day, and to Mr. Perry indefinitely.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

##### HOUSE OF REPRESENTATIVES,

Mr. Speaker:

The committee on enrolled bills report the following bills correctly enrolled :

H. 98. To prevent the sale, exchange and buying of seed cotton in Perry county and of seed cotton produced in said county;

H. 138. To incorporate the University School, situated at Clanton in the county of Chilton ;

H. 243. To regulate and prescribe the manner of electing county commissioners of Perry county ;

H. 351. To amend an act entitled an act to define and prescribe a lawful fence in certain portions of the county of Madison, approved February 28, 1889, as amended by section one of an act approved February 21st, 1893.

J. H. MONTGOMERY,  
Chairman.

## SIGNING BILLS.

The speaker of the house, in the presence of the house-immediately after their titles had been publicly read by the clerk, signed the bills, whose titles are set forth in the foregoing report of the committee on enrolled bills.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended as therein shown, and as-amended has passed the house bills,

H. 478. To incorporate the town of Brantley, Crenshaw county;

H. 467. To incorporate Spring Lake College and to repeal an act incorporating Springville High School and an act to amend charter of Springville Educational Institute;

And has passed the following house bills :

H. 322. To provide for the election of a county superintendent of education of Sumter county ;

H. 243. To regulate and prescribe the manner of electing county commissioners of Perry county ;

H. 107. To repeal an act entitled an act to regulate the pay of the judge of probate and clerk of the circuit-court of Covington county for services ex-officio, approved January 28, 1891;

And has concurred in the house joint resolution requesting the governor to return to the house the house bill No. 479, and requesting the president of the senate and speaker of the house to erase their signatures from the said bill;

And has originated and passed the following bills :

s. 143. To prescribe the cases where sworn answers may be required in chancery and to declare the effect thereof;

s. 181. To annul, abolish and discontinue the corporation of the town of Blountsville, Blount county ;

s. 187. Prescribing additional duties for judges of probate courts in reference to keeping certain indexes, provided this bill shall not apply to the counties of Mobile, Perry and Bibb.

W. L. CLAY,  
Secretary.

## SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees as follows :

Judiciary, s. 143, 187;

Corporations, s. 181;

And the house concurred in the senate amendments to,

H. 478. To incorporate the town of Brantley, Crenshaw county ;

Yeas 52, nays 0.

Yeas :

Messrs. Beeson, Boykin, Brown of Russell, Burks, Calhoun, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ewing, Fielding, Forman, Franklin, Fuller, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jackson, Jinks, Kelly, Kennedy, Killebrew, Knight, Kyle, Maples, Mastin, Meadows, Mahan, Mills, McClusky, McCorvey, O'Brien, Perry, Prowell, Rand, Reaves, Bobbins, Robinson, Sanford, Savage, Smith of Butler, smith of Mobile, Taylor, Ward, Wheelless, Williams of Bullock—52.

Also to

H. 467. To incorporate Spring Lake College and to repeal an act incorporating Springville High School and an act to amend charter of Springville Educational Institute ;

Yeas 56, nays 0.

Yeas:

Messrs. Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Kelly, Killebrew, Langley, Manning, Mastin, Meadows, Mills, Mixon, McClusky, McCorvey, Rabb, Reaves, Robbins, Robinson, Rogers, Routon, Sanford, Savage, Scarborough, Screws, Smith of Butler, Summers, Taylor, Tuck, Turner, Wheelless, Williams of Bullock—56.

## INTRODUCTION OF BILLS.

On a call of the counties bills were introduced, sever-

ally read one time and referred to appropriate committees as follows:

By Mr. Smith of Autauga—

H. 896. To perpetuate the United States government surveys of lands in Autauga and Chilton counties,

Local legislation;

By Mr. Graves—

H. 897. To regulate the keeping of dogs in the counties of Barbour and Russell,

Local legislation;

By Mr. Kelly—

H. 898. To establish a new charter for the city of Anniston,

Corporations;

By Mr. Ewing—

H. 899. To create a separate school district in Cherokee county, Alabama, and to define the boundaries thereof,

Education;

By Mr. Hearn—

H. 900. To amend section 55 (64) of the code,

Appropriations;

Also,

H. 901. To amend section 54 (53) of the code,

Appropriations;

Also,

H. 902. To amend 684 (580) of the code,

Appropriations;

Also,

H. 903. To amend section 757 (655, 668) of the code,

Appropriations;

Also,

H. 904. To amend section 949 of the code,

Appropriations;

Also,

H. 905. To repeal section 175 of the Code,

Appropriations;

Also,

H. 906. To repeal section 178 of the code,

Military;

Also,

H. 907. To amend section 51 (50) of the code,

Appropriations ;

Also,

H. 908. To amend section 53 (52) of the code,  
Appropriations;

Also,

H. 909. To amend section 52 (51) of the code,  
Appropriations ;

Also,

H. 910. To amend an act entitled an act to fix the  
amount of the pay of circuit solicitors and other solicitors  
who are paid by the state, approved February 21,  
1893,

Appropriations ;

By Mr. Robbing—

H. 911. To provide for the extension of stock law in  
Coosa county,

Local legislation ;

Also, by request,

H. 912. To establish a separate school district in  
Coosa county in this state,

Education;

By Mr. Killebrew—

H. 913. To incorporate the town of Charlton, in the  
county of Dale and state of Alabama,

Corporations;

By Mr. Graham—

H. 914. To exempt practicing dentists from jury duty  
in all the counties in Alabama,

Judiciary;

By Mr. Ellis—

H. 915. To refund to J. H. Williams, of Elmore county,  
the sum of eighty dollars, with interest, being purchase  
money of certain lands heretofore erroneously sold  
him by the state,

Appropriations;

Also,

H. 916. To relieve Annie B. Batchelor, Barah Batchelor  
and William T. Batchelor, minor children of William  
B. Batchelor, Jr., of Elmore county, from the disabilities  
of non-age,

Judiciary ;

By Mr. Knight—

H. 917. To create the town of Greensboro, Alabama,  
a separate school district, to incorporate the same and  
define its powers and duties and to provide for the main-

tenance and management of the public schools of said district,

Judiciary;

By Mr. Williams of Henry—

H. 918. To detach the county of Dale from the 23rd, and attach the same to the 24th state senatorial district,

Privileges and elections ;

Also,

H. 919. To provide for contesting the election for Governor, Secretary of State, State Auditor, State Treasurer and Attorney General,

Privileges and elections;

By Mr. Maples—

H. 920. To authorize Susan M. Daniel, a minor, to sell and convey her land, situated in Jackson county,

Revision of laws ;

By Mr. McQueen—

H. 921. To amend section 1386 of the code of Alabama of 1876,

Revision of laws;

By Mr. Ott—

H. 922. To regulate the sale of oleomargarine in the state of Alabama,

Public health;

By Mr. Kennedy—

H. 923. To amend an act to amend subdivision 28 of section 629 of the code, approved December 13th, 1892,

Revision of laws;

By Mr. John—

H. 924. To amend section 3612 (3918) of the code of Alabama,

Judiciary;

Also,

H. 925. To amend section 1120 and 1125 of the code of Alabama,

Commerce and common carriers ;

Also,

H. 926. To amend an act entitled an act to create the tenth judicial circuit of the state of Alabama and to fix the time for holding court therein, and to provide for the appointment and election of a judge and solicitor for said circuit, approved December 12, 1888,

Judiciary;

Also,

H. 927. To create the fourteenth judicial circuit of the state of Alabama, and to fix the time for holding court therein and to provide for the appointment and election of a judge and solicitor for said circuit,

Judiciary;

By Mr. Fielding, by request—

H. 928. For the better working the public roads in the county of Limestone, Alabama,

Public roads and highways;

By Mr. Davis—

H. 929. To repeal sub-divisions 31 and 34 of section 629 of the code, and also the repeal an act to amend sub-division 31 of section 629 of the code, approved December 10, 1890,

Ways and means;

Also,

H. 930. To amend section 32 of the code,

Judiciary;

By Mr. Coleman—

H. 931. To authorize the sale of certain lands donated to the Northeast Albania Agricultural Experiment Station and school at Albertville,

Agriculture ;

By Mr. Brooks—

H. 932. To declare and vest in the incorporated cities and towns of this state a lien on real estate for delinquent taxes due thereon or by the owner thereof,

Ways and means;

By Mr. McCorvey—

H. 933. To make an appropriation for the expense of an encampment of the Alabama State Troops for the years 1895 and 1896,

Appropriations;

By Mr. Forman, by request—

H. 934. To authorize and empower bonded constables in St. Clair county, Alabama, to execute all process directed to them by any lawful officer of said state in any precinct other than the one for which they are elected or appointed where the office of constable in such other precinct is vacant and to provide compensation therefor and defining their liability on their official bonds,

Revision of laws;

Also, by request,

H. 935. To prohibit the throwing or placing timber, stone, brush, saw-dust or other obstruction in Big Canoe Creek, in St. Clair county, or any of its tributaries,

Local legislation;

By Mr. Langley, by request,

H. 936. To create a seperate school district of Daviston in beat 17, T. 24, R. 24, in Tallapoosa county, Alabama,

Education;

By Mr. May field—

H. 937. To incorporate the board of treestees of the Stillman Institute at Tuscaloosa, Alabama, for training-colored ministers of the gospel,

Education ;

By Mr. Patton—

H. 938. To repeal an act entitled an act to provide for the election of a superintendent of education for the county of Tuskaloosa, and to define his duties, approved-February 10, 1887,

Education;

By Mr. Turner, with notice and proof—

H. 939. For the relief of Mrs. M. D. Clarke, of Washington county,

Revision of laws;

By Mr. Williams, of Bullock—

H. 940. To permit section 4197 to 4232 inclusive apply to Bullock county,

Judiciary ;

By Mr. Lipscomb—

H. 941. To incorporate the Olivet Club,

Corporations;

By Mr. Calhoun—

H. 942. To establish a branch agricultural experiment station and agricultural school at Jackson, Clarke county, Alabama,

Agricultural;

By Mr. John—

H. 943. Regulating the business of pawn brokers in cities of the state of Alabama,

Judiciary;

Also, by request,

H. 944. To provide for the signing of bills of excep-



tion by judges of circuit, city and criminal courts in this state where the same are agreed upon by the parties,

Judiciary;

By Mr. Robinson—

H.945. To authorize and require the auditor of the state of Alabama to reimburse Phelan B. Dorian, sheriff of Mobile county, for expenses incurred and services rendered to the state, in the removal of George A. Pearce a fugitive from justice,

Appropriations;

By Mr. Scarborough—

H. 946. To amend section ten (10) of an act entitled an act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters or patent medicines having alcohol as abase in Calhoun county, approved December 7, 1886,

Judiciary;

By Mr. Mayfield—

H. 947. To authorize and empower the mayor and aldermen of the city of Tuscaloosa to issue and sell the bonds of said city in an amount not exceeding twenty thousand dollars, the proceeds thereof to be used for the purpose of paying off and satisfying the interest or interest coupons now due and to become due on the present outstanding bonds of said city, and for the purpose of paying the outstanding floating debt of said city,

Corporations;

By Mr. Bellinger—

H. 948. To more permanently establish the line between the counties of Blount and Walker,

Counties and county boundaries ;

By Mr. Dale—

H. 949. To provide for repairing and furnishing the Capitol and improving the capitol grounds,

Public buildings and institutions ;

By Mr. Fulton, by request—

H. 950. To regulate and limit the charges hereafter to be made by railroad companies and steamboat operators in carrying freight and passengers wholly within the limits of the state of Alabama,

Commerce and common carriers;

By Mr. Kyle—

H. 951. To increase the number of aldermen in the

town of New Decatur in the county of Morgan, to eight; and to authorize the corporate authorities to fix within prescribed limits, the future terms of office of the aldermen of said town,

Local Legislation ;

Also,

s. 952. For the better protection of the lives of children,

Judiciary;

By Mr. Lipscomb—

H. 953. For the protection of creditors,

Judiciary;

#### BILLS ON SECOND READING.

The Chairman of the several committees, reported favorably on the following bills :

H. 287. To amend sections 2590 and 2591 of the code of Alabama,

(Without recommendation;)

H. 738. To provide for the disposition of commissions allowed as solicitors fees on all forfeitures collected by clerk or sheriff;

H. 671. To make the fees of bonded constables in the county of Covington the same as sheriff's fees, when they perform the same, or similar services ;

H. 824. To prevent the keeping of open saloons in the city of Ozark on the Sabbath day ;

H. 788. To amend an act to prohibit the sale or giving away of spirituous, vinous or intoxicating liquors within two miles of the Methodist Episcopal Church, South, in the town of Citronelle, Alabama, approved March 4th, 1875;

H. 776. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages in the State of Alabama, except within the limits of police jurisdiction of incorporated cities and towns;

H. 760. To prohibit the selling, giving away or otherwise disposing of alcoholic, vinous or malt liquors, or other intoxicating drinks or beverages, or fruits preserved in alcoholic liquors within one-half mile in every direction from "Mash's Mill," in beat 6, in Crenshaw county, Alabama;

H. 692. To prevent the sale of vinous, spirituous or malt liquors to or by any woman, or in houses where single women board, lodge or live;

H . 643. To prohibit the sale or giving away of alcoholic, spirituous, vinous or malt liquors within three (3) miles of Alaga, in Henry county;

H. 578. To amend an act to prevent hunting on land without written consent of the owner or his agent in Perry and Winston counties, approved Feb. 21st, 1893 ;

H. 261. To perpetuate the United States government surveys in Chilton county ;

H. 272. To encourage the cultivation of the grape, and other fruits in the counties of Lamar, Fayette, Marion, Walker, Franklin, Jackson; Lee, Morgan, Coosa, Elmore, Tallapoosa, Bibb, Tuscaloosa and Etowah,

With amendment;

H 419. To abolish the commissioners court of Conecuh county;

H. 420. To establish a Board of Revenue for Conecuh county, and to define the powers and duties of said board of revenue ;

H. 677. For the relief of W. J. Ward of Geneva-county, Alabama;

H. 701. To join counts for buying, selling receiving or concealing or aiding in the concealment of stolen property knowing the same to have been stolen, with counts for burglary or grand larceny in different counts in the same indictment, without regard to the value of the property so bought, sold, received or concealed ;

H. 821. To provide for the calling and holding of meetings of stockholders of railroad corporations in Certain cases, and regulating the voting, the election of officers, and the transaction of other business at such meetings;

H . 667. To amend section 555 of the code ;

H. 818. To limit the time within which the old bonds of the state may be exchanged for new bonds authorized by act approved February 23rd, 1876 ;

H. 740. To provide for the payment of certain claims of the sheriff of Talladega county, against the state ;

H. 739. To provide more efficient means of collecting solicitors' fees in this state,

H . 456. To prevent stock from running at large in-

beat, 4 and 8 in Elmore county, east of the Coosa river, and west of the Tallapoosa river ;

H. 675. To provide for the re-surveying, designating: and locating the line between the counties of Jackson and DeKalb,

With amendment;

H. 465. To amend sections 340, 341 and 342 of the; code of Alabama;

H. 723. To authorize incorporated cities and towns in this state to use the Myers Automatic Ballot Machine in municipal elections,

With amendment;

H. 717. To prohibit persons from secreting themselves on a railroad car or locomotive, with intent to ride without paying fare,

With amendment;

H. 621. To authorize the court of county commissioners of Hale county, to issue bonds for the purpose of paying off and discharging the old bonds of said county, issued in aid of Selma, Marion and Memphis-Railroad Company ;

H. 792. To authorize the mayor and council of the town of Marion to erect and maintain waterworks in said town, to issue bonds for the purpose of erecting and maintaining said waterworks to an extent not exceeding thirty thousand dollars, and to make provision by deed of trust and the creating of a sinking fund for the payment of said bonds;

H. 884. To amend an act to incorporate the city of Tuscaloosa, approved March 12th, 1873, by the addition of the following to be numbered section 101, in reference to the leveying, assessment and collection of taxes on personal and real property by the mayor and alderman, of the city of Tuscaloosa, and the sale of the same for the payment of any taxes and costs due said city ;

H. 349. To amend an act entitled an act to amend sub-division 31 of section 629 of the code of Alabama, approved February 16, 1894;

H. 764. To establish a separate school district to be known as district No. 3 in DeKalb county, Alabama;

H. 763. To incorporate North Alabama College at Fort Payne, DeKalb county, Alabama;

H. 659. To establish a separate school district, to

be known as the Oakman school district in Walker county;

H. 660. To incorporate the Oakman Male and Female College in Walker county, Alabama ;

H. 769. To provide for the more efficient working of the public roads in Greene county, and for the appointment of district road commissioners for Greene county;

H. 783. To amend an act entitled an act for the preservation of game animals and birds in the counties of Tuscaloosa and Calhoun, approved February the 27th, 1889, which was amended so as to apply to Tuscaloosa county, Crenshaw county, Lee county, and Calhoun county, approved February the 18th, 1891, so far as the same relates to Lee county;

H. 455. To prevent stock from running at large in beat eighteen, in Elmore county, west of the Coosa river;

H. 794. To amend section 6 of an act, approved December the 9th, 1890, entitled an act to prevent stock from running at large in Pike county, so as to read, as follows;

H. 581. To fix the annual compensation of the judge of probate, clerk of the circuit court and sheriff of Elmore county for ex-officio services;

H. 590. To prevent stock from running at large in precinct No. eleven, Hale county, Alabama, during certain seasons of the year;

s. 213. To relieve Maud W. Davidson of the disabilities of non-age;

s. 183. To require all foreign corporations now engaged in or hereafter engaging in business in this state to pay a fee or license for the use of the state for the privilege of engaging in such business;

s. 206. To amend section 2346 of the code of Alabama ;

s. 128. To provide a penalty against any county court judge or judge of any county for failure, to hold court and to prescribe how such penalty shall be enforced;

H. 894. To prevent stock from running at large in the following territory of Coosa county, commencing at the northwest corner of section 15, township 22, range 19, running north to Socapotoy Creek, thence northeast,

along said creek to the line of Socapotoy beat; thence south along the line of Crews and Socapotoy beats, then along line of Crews and Landsdale beat, to starting point;

s. 21. To provide for holding elections for the adoption of stock law in Cleburne county, and to provide, for carrying it into effect when it shall be adopted.

The above and foregoing bills, were severally read a second time, and placed on the calendar.

On motion of Mr. Clark, H. 215 was taken from an adverse report, and re-committed to the committee on revision of laws.

On motion of Mr. Meador, H. 515 was indefinitely postponed.

#### BILLS ON THIRD READING.

Mr. Maples moved to reconsider the vote by which

s. 30. To regulate and prescribe the manner of electing the county commissioners of Bibb county, was lost.

The previous question being ordered, the, vote by which the bill was lost on yesterday was reconsidered, and the bill

Was read a third time, at length, and passed—yeas 46, nays 34.

Yeas :

Messrs. Barren, Boykin, Brooks, Brown of Russell, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Fletcher, Gewin, Graham, Grant, Graves, Jinks, John, Kelly, Kennedy, Knight, Lipscomb, Maples, Mayfield, Meadows, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rand, Roach, Robinson, Scarborough, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Whitten, Williams of Bullock, Williams of Henry—46.

Nays:

Messrs. Speaker, Banks, Beasley, Beeson, Brown of Conecuh, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Deans, Ellis, Ewing, Fielding, Forman, Franklin, Fuller, Gains, Harris, Hearn, Holt, Jackson, Killbrew, Langley, Mastin, Mills, Mixon, Robbins, Robinson, Rowe, Routon, Savage, Smith of Butler, Taylor, Wheelless—34.

H. 16. To amend section 1891 of the code of 1886,  
Was read a third time at length and passed—yeas 53,  
nays 0.

Yeas:

Messrs. Beeson, Bellinger, Boykin, Brown of Russell,  
Burks, Burns, Calhoun, Cameron, Camp, Cole, Cole-  
man, Cook of Talladega, Curtis, Dale, Davis, Ellis,  
Ewing, Fielding, Fleming, Fletcher, Franklin, Gains,  
Gibbons/Graham, Graves, Hearn, Jackson, Jinks, Kelly,  
Kennedy, Kyle, Langley, Maples, Mastin, Meadows,  
Mixon, Moore, McClusky, McCorvy, Patton, Perry,  
Prowell, Rabb, Robbins, Robinson, Rowe, Routon,  
Sanford, Savage, Scarbrough, Smith of Autauga, Smith  
of Green, Williams of Bullock—53.

s. 180. To amend section one of "an act to regulate  
the taxation of insurance companies" approved February  
20, 1892,

Was read a third time at length and passed—yeas 57,  
nays 0.

Yeas :

Messrs. Barren, Beasley, Bellinger, Boykin, Brown of  
Conecuh, Brown of Russell, Burks, Burns, Calhoun,  
Cameron, Camp, Cook of Talladega, Curtis, Dale, Davis,  
Deans, Ellis, Fletcher, Ford, Franklin, Fuller, Fulton,  
Gibbons, Grant, Graves, Hill, Holt, Jackson, Jinks,  
Kelly, Kennedy, Knight, Langley, Lipscomb, Maples,  
Mastin, Meadows, Mills, Mixon, Moore, McCorvey,  
O'Brien, Rabb, Rand, Roach, Rogers, Rowe, Sanford,  
Scarborough, Smith of Butter, Smith of Greene, Taylor,  
Ward, Wheelless, Willett, Williams of Bullock—57.

H. 273. To amend section 3091 (3496) of the code of  
Alabama of 1886,

Was read a third time at length and lost—yeas, 19,  
nays 42.

Yeas :

Messrs. Beason, Burns, Camp, Dale, Fleming,  
Fletcher, Fulton, Gibbons, Graham, Grant, Graves,  
Kyle, Meadows, O'Brien, Prowell, Rand, Rogers, Rowe,  
Turner—19.

Nays :

Messrs. Speaker, Barron, Bellinger, Boykin, Brown of  
Conecuh, Brown of Russell, Cole, Coleman, Cook of  
Talladega, Curtis, Deans, Ellis, Ewing, Forman, Frank-

lin, Fuller, Harris, Hearn, Hill, Jackson, Jinks, Kelly, Knight, Langley, Lipscomb, Maples, Mayfield, Meadows, Mills, Mixon, Ott, Perry, Rabb, Sanford, Smith of Autauga, Smith of Butler, Smith of Greene, Taylor, Turner, Wheelless, Willett—42.

Mr. Willett moved to reconsider the vote by which the bill was lost.

Mr. Fletcher moved to postpone the further consideration of the motion till to-morrow morning at 11 o'clock, carried.

H. 85. To authorize the chancellor, judge or register to require the complainant to give bond before a receiver is appointed,

Was read a third time at length and passed—yeas 50, nays 1.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Burns, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Grant, Graves, Harris, Hearn, Kennedy, Killebrew, Knight, Kyle, Langley, Maples, Mastin, Meadows, McClusky, Patton, Prowell, Robinson, Routon, Sanford, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Ward, Williams of Bullock—50.

Nays:

Mr. Rabb—1.

H. 238. To prevent the fighting of cocks or other birds with gaffs or spurs, and to prevent the fighting of dogs, bulls, bears or other animals,

Was read a third time at length.

Mr. Mayfield moved to reconsider vote by which house bill 238 was ordered to a third reading,

Carried.

Mr. Mayfield offered an amendment to strike out the word "spurs" and on motion the amendment was tabled.

Mr. Sanfor'd offered an amendment to exclude from the provisions of the bill the county of Montgomery and on motion Mr. Sanford's amendment was tabled.

The previous question question being demanded,

The bill,



H. 238.

Was read a third time, at length, and passed—yeas 43, nays 16.

Yeas :

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Burks, Cameron, Cole, Cook of Wilcox, Curtis, Dale, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gibbons, Graham, Grant, Graves, Hearn, Jackson, Jinks, Killebrew, Knight, Kyle, Langley, Maples, Mastin, Mayfield, Meador, Moore, McClusky, O'Brien, Ott, Perry, Rabb, Rand, Roach, Robinson, Rowe, Routon, Savage, Smith of Butler, Smith of Greene, Taylor, Ward, Wheelless, Williams of Bullock—43.

Nays :

Messrs. Brown of Russell, Burns, Camp, Cook of Talladega, Davis, Hill, Langley, Meadows, Patton, Prowell, Robbins, Rogers, Sanford, Tuck, Turner, Willett—16.

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AFTERNOON SESSION.

BILLS ON THIRD READING.

H. 676. To amend an act entitled an act to better provide for keeping up the public roads of Escambia county, which became a law February 15, 1893,

Was read a third time, at length, and passed—yeas 58, nays 0.

Yeas :

Messrs. Banks, Beasley, Beeson, Boykin, Brooks, Brown of Russell, Burns, Camp, Coleman, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Grant, Graves, Harris, Jackson, Jinks, Kelly, Kennedy, Killebrew, Langley, Mastin, Meador, Meadows, Mixon, Moore, McClusky, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Routon, Savage, Scarborough, Smith of Autauga, Smith of Greene, Taylor, Tuck, Wheelless, Whitten, Willett—58.

H. 618. To prevent the explosion of dynamite or other

explosive material in any of the waters of Bibb county, Alabama,

Was read a third time, at length, and passed—yeas 56, nays 0.

Yeas:

Messrs. Banks, Beasley, Beeson, Brown of Conecuh, Burns, Camp, Gook of Talladega, Cook of Wilcox, Curtis, Dale, Ellis, Ewing, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Grant, Graves, Harris, Hearn, Jackson, Jinks, Kennedy, Killebrew, Knight, Langley, Lipscomb, Maples, Mastin, Meador, Meadows, Mills, Mixon, Moore, McClusky, McCorvey, Ott, Patton, Perry, Prowell, Rabb, Reaves, Robbins, Robinson, Rogers, Routon, Scarborough, Smith of Autauga, Smith of Greene, Tuck, Ward, Wheelless—56.

H. 544. To regulate the granting of licenses to retail vinous or spirituous liquors in the town of Louisville, Barbour county,

Was read a third time, at length, and passed—yeas 52, nays 0.

Yeas:

Messrs. Beasley, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Coleman, Cook of Talladega, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Grant, Graves, Harris, Jackson, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Maples, Mastin, Meadows, Mills, Mixon, Montgomery, Moore, McClusky, McQueen, Ott, Perry, Prowell, Rabb, Rand, Roach, Robinson, Scarborough, Smith of Autauga, Smith of Mobile, Tuck, Ward, Wheelless—52.

H. 765. To create a separate school district in the town of Brewton, Alabama, to define its boundaries and provide for the maintenance of schools therein,

Was read a third time, at length, and passed—yeas 56, nays 0.

Yeas:

Messrs. Banks, Barren, Beasley, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burns, Camp, Cook of Talladega, Curtis, Dale, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Ford, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Jackson, Kelly, Kennedy, Killebrew, Knight, Langley, Ma-

ples, Meadows, Mills, Mixon, Montgomery, McClusky, McCorvey, McQueen, Patton, Perry, Rabb, Rand, Robbins, Robinson, Rogers, Routon, Scarborough, Smith of Autauga, Smith of Mobile, Summers, Tuck, Wheelless, Whitten—56.

H. 773. For the relief of S. W. Chadwick, Registrar of Hale county, for services rendered,

Was read a third time, at length, and passed—yeas 52, nays 0.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Brown of Conecuh, Brown of Russell, Burks, Burns, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Ewing, Fletcher, Ford, Forman, Franklin, Fulton, Gibbons, Grant, Jinks, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Mastin, Meadows, Montgomery, Moore, McClusky, McCorvey, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robinson, Rowe, Routon, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck—52.

H. 217. To authorize the mayor and councilmen of the town of Brewton to issue bonds of said city for an amount not exceeding fifteen thousand dollars, for the purpose of building or purchasing suitable school building for the use of the residents thereof,

Was read a third time, at length, and passed—yeas 51, nays 9.

Yeas :

Messrs. Speaker, Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Camp, Coleman, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Forman, Fuller, Gibbons, Graham, Graves, Jackson, Kelly, Kennedy, Killebrew, Knight, Kyle, Mastin, Meador, Meadows, Moore, McClusky, McCorvey, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Rogers, Scarborough, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Wood—51.

Nays :

Messrs. Cameron, Cole, Ford, Franklin, Grant, Hearn, John, Maples and Wheelless—9.

H. 576. To levy a tax, state and county, on all peddlers of road carts, sewing machines, cooking stoves,

watches, bed-quilts, cloaks and balmorals, in the counties of Wilcox and Hale,

Was amended, read a third time, at length and passed—yeas 46, nays 23.

Yeas :

Messrs. Speaker, Barren, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Burks, Burns, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Ellis, Fleming, Fletcher, Grant, Graves, Hearn, Jinks, John, Knight, Langley, Meador, Meadows, Mahan, Montgomery, Moore, McClusky, O'Brien, Perry, Prowell, Rand, Robbins, Robinson, Rogers, Scarborough, Screws, Seale, Smith of Autauga, Taylor, Wheelless, Williams of Henry, Wood—46.

Nays :

Messrs. Brown of Russell, Coleman, Curtis, Davis, Deans, Ewing, Forman, Fuller, Gewin, Graham, Jackson, Kelly, Kyle, Mastin, Mills, Mixon, McCorvey, Ott, Patton, Rabb, Roach, Savage, Whitten—23.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the house amendment to the senate bill,

s. 64. To establish the Hayne School District in Lowndes county;

And has originated and passed the following bills and ordered the same to be sent forthwith without engrossment :

s. 228. To regulate the practice and proceedings in civil cases, in the circuit courts of Morgan and Madison counties ;

s. 229. To fix the time and regulate the holding of the courts in the eighth judicial circuit of the State of Alabama;

s. 233. To provide for the drawing of jurors for the May and November terms of the circuit court for the county of Madison for the year 1895;

s. 239. To amend section 2348 of the code ;

s. 265. To confirm the incorporation of the Twickenham Club of Huntsville, Alabama, and to enlarge the powers and capacities of said club.

## SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read-  
once, and referred to the committees, as follows :

Corporations, s. 265 ;

Judiciary, s. 228, 229, 233, 239.

## JOINT SESSION.

The hour of 4 o'clock having arrived the joint session-  
was called to order by president of the senate.

The object of the joint session being to hear addresses  
from a committee of the Cotton States and International  
Exposition of Atlanta, Georgia.

Mr. Milner moved that a committee of three be ap-  
pointed to invite said committee to the speakers stand to  
address the general assembly, which was carried.

The president appointed Messrs. Milner, Rabb and  
Hundley as said committee.

After able addresses by Messrs. Spaulding, Collier and  
others, the president declared that the purpose for which  
said joint session was called having been accomplished,  
the joint session was dissolved, and the house proceeded  
to the regular order of business.

On motion the house adjourned till 10 o'clock a. m. to-  
morrow.

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THIRTY-SECOND DAY.

## HOUSE OF REPRESENTATIVES,

JANUARY 26, 1895.

House met pursuant to adjournment.

Prayer by Rev. Mr. Roper of the city.

A quorum was present.

## REVISION OF JOURNAL.

The committee on the revision of the journal, reported  
the journal of yesterday correct.

## LEAVE OF ABSENCE.

Was granted to Mr. Whitten until Wednesday, to Mr. Jinks until Monday, Mr. Killebrew and Mr. Manning for one day.

On motion of Mr. Willett the vote by which

H. 273. To amend section 3091 (3496) of the code of Alabama,

Was lost,

Was reconsidered, and the bill was read a third time at length and passed, yeas 58, nays 10.

Yeas :

Messrs. Speaker, Barren, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Franklin, Fulton, Gains, Gibbons, Graham, Grant, Graves, Jackson, John, Kelly, Kennedy, Knight, Kyle, Mastin, Meador, Meadows, Mahan, Mixon, Moore, McCorvey, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Rounton, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Tuck, Turner, Ward, Williams of Bullock, Williams of Henry, Wood—58.

Nays :

Messrs. Bellinger, Burks, Curtis, Deans, Ewing, Fuller, Hearn, Mayfield, Mills, Patton—10.

On motion of Mr. Meador the vote by which s. 180 was passed on yesterday, was reconsidered, and the bill, s. 180, was tabled.

On motion of Mr. Meador the vote which H. 515 was indefinitely postponed, was reconsidered, and

H. 515. To amend section 1 of an act to regulate the taxation of insurance companies, approved February 20, 1893,

Was taken up.

Mr. Meador moved to amend by adding, "Provided, that the provisions of this bill shall not be construed as applying to any secret or benevolent society, such as Masons, Odd Fellows, Knights of Pythias, Knights of Honor, Ancient Order of United Workmen, or orders of like kind."

Carried,

And the bill as amended was read a third time at length and passed—yeas 63, nays 4.

Yeas:

Messrs, Speaker, Barren, Beasley, Beeson, Boykin, Brown of Russell, Burks, Burns, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fulton, Gains, Gibbons, Graham, Grant, Graves, Hearn, Jackson, Kelly, Kennedy, Knight, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, McClusky, McCorvey, O'Brien, Ott, Patton, Prowell, Roach, Robbins, Rogers, Rowe, Sanford, Savage, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Tuck, Ward, Wheelless, Williams of Bullock—63.

Nays:

Messrs. Brooks, Fuller, Robinson, Smith of Mobile—4.

The speaker announced assignments on committees as follows : For Mr. Wood of Macon, on revision of laws, in place of Mr. Dale, on appropriations in place of Mr. Kelly.

Mr. Speaker:

I have the honor to inform you that the following bills, which originated in the house, have been approved : 245, 210, 168, 73, 188, 497, 173, 158, 295, 474, 439, 392, 94.

Very respectfully,  
HARVEY E. JONES,  
Private Secretary.

January 26th, 1895.

#### RESOLUTIONS.

The following resolutions were offered and referred to the committee on Rules:

By Mr. Hearn—

Whereas, There has been several bills introduced in this house to regulate elections ;

Therefore, Be it resolved by the House, the Senate concurring, That a committee of five, three from the house and two from the senate, be appointed, whose business it shall be to draft one election bill from all the bills that have been introduced. The above committee to consist of three democrats and two populists.

And Mr. Hearn moved to suspend the rules and put the resolution on its passage.

Mr. Davis moved to table Mr. Hearn's motion, and the yeas and nays being ordered, Mr. Davis' motion was lost.

Yeas 28, nays 47.

Yeas :

Messrs. Speaker, Barren, Boykin, Brooks, Brown of Russell, Camp, Curtis, Dale, Davis, Fleming, Fletcher, Gewin, Gibbons, Grant, Graves, Knight, Moore, McCorvey, Ott, Patton, Robinson, Scale, Smith of Greene, Smith of Mobile, Willett, Williams of Bullock, Williams of Henry, Wood—28.

Nays:

Messre, Banks, Beasley, Beeson, Bellinger, Brown of Conecuh, Barks, Burns, Cameron, Cole, Cook of Talladega, Cook of Wilcox, Deans, Ellis, Ewing, Fielding, Ford, Forman, Franklin, Fuller, Gains, Graham, Harris, Hearn, Jackson, John, Langlely, Lipscomb, Maples, Martin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, McQueen, Rabb, Rand, Reaves, Robbins, Sanford, Savage, Screws, Smith of Autauga, Smith of Butler, Tuck, Turner, Wheelless—43.

And Mr. Hearn's motion to suspend the rules was lost—  
By Mr. Cole—

Resolved, That the Governor be and he is hereby requested to furnish to this house all correspondence relating to the use of the state troops in the counties of Jefferson, Walker and Bibb during the months of June, July and August, 1894. Also a statement in detail of all expenses incurred for the use of the military during the encampment of the state troops in the county of Jefferson, and their services during the months of June, July, and August 1894 in the counties of Jefferson, Bibb and Walker; also a statement in detail of such supplies or moneys, if any, contributed for or on behalf of the state troops by any individual or corporation.

Resolved further, That the Governor be and is hereby requested to furnish to this house a copy of all correspondence if there be any, between the state authorities and any individual or corporation with reference to the protection of property by use of the state troops in the counties of Jefferson, Bibb, and Walker during the year 1894.

Resolved further, That such sums of money as were



paid to or for the use of the state troops on the occasion of the inauguration of Gov. W. C. Oates be added to the information herein called for;

By Mr. Jackson—

Resolved, That, the committee on rules be and they are hereby instructed to make a report upon resolution No. 705 offered by Mr. Jackson of Lee, on the 22 day of January, 1895, immediately after the completion of the call of counties on Monday next.

Mr. Jackson moved that the rules be suspended, and that the resolution be put immediately on its passage.

Mr. Willett moved that Mr. Jackson's motion be tabled, and the yeas and nays being ordered, Mr. Willett's motion was carried—yeas 47, nays 34.

Yeas:

Messrs. Speaker, Barren, Brooks, Brown of Russell, Burns, Camp, Cook of Wilcox, Curtis, Davis, Fleming, Fletcher, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Hill, Killebrew, Knight, Kyle, Lipscomb, Maples, Mayfield, Meador, Mahan, Moore McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Prowell, Rand, Roach, Robinson, Rowe, Sanford, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Willett, Williams of Bullock, Williams of Henry, Wood—47.

Nays:

Messrs. Banks, Beasley, Beeson, Bellinger, Brown of Conecuh, Burks, Cameron, Cole, Coleman, Cook of Talladega, Deans, Ellis Ewing, Fielding, Ford, Forman, Franklin, Fuller, Gains, Harris, Hearn, Jackson, Langley, Mastin, Meadows, Mills, Mixon, Robbins, Routon, Savage, Smith of Butler, Summers, Taylor, Wheelless—34.

By Mr. Robinson—

Resolved, That, the speaker of the house appoint a committee of three to examine into the work of the office of Superintendent of Education, with a view to determining whether or not additional clerical assistance is needed in said office. The said committee shall report by bill or otherwise.

On motion of Mr. Robinson, the rules were suspended and the resolution was adopted.

The speaker of the house appointed on the committee :

40h

Messrs. Robinson, Wood and Forman.

By Mr. Ott—

Resolved, That, members not having local bills on the calender shall be allowed to call a general bill by giving notice that he will call a bill he intends to call during the morning session,

Which was referred to committee on rules.

By Mr. Kyle—

Resolved, That, whereas Susan B. Anthony will lecture in Montgomery on Feby. 6th, 1895, and whereas she is a woman of national reputation and noted for her intelligence, be it resolved that the hall of the house of representatives be tendered-for her use on the night of February 6th, 1895,

Which was referred to committee on rules.

By Mr. Willett—

Resolved, That it is apparent that the roof of the capitol needs repairing, as the hall of the house of representatives is being damaged by rain, and the governor is authorized to take immediate steps to have the same repaired, and use such funds in the treasury not otherwise appropriated,

Which was referred to committee on rules.

By Mr. Kelly—

Resolved, By the house, the senate concurring, that the following bills be, and are hereby recalled from the governor for the purpose of correction, to-wit:

H. B. 71, 56, 243.

On motion of Mr. Kelly, the rules were suspended and the resolution was adopted.

On motion of Mr. John, H. 794 was re-committed to committee on local legislation.

#### INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate committees, as follows :

By Mr. Gibbons—

H. 954. To fix the time of holding circuit court at Clayton and Eufaula, in Barbour county, in the third judicial circuit,

Judiciary ;

By Mr. Bellinger—

H. 955. To require apportioners and overseers of roads in Blount county to do road service after the expiration of their terms of service as such apportioners and overseers,

Public roads and highways ;

By Mr. Hearne—

H. 956. To amend section 725 (615) of the code, Judiciary;

By Mr. Smith, of Greene—

H. 957. To incorporate the Planters Warehouse and Commission Company in the county of Greene, Corporations;

Also.

H. 958. To authorize justices of the peace and notaries public with powers of a justice, in cases where they have final jurisdiction to sentence for costs for their own fees and constables at thirty cents per day for an amount under five dollars for each of them in Greene county, Alabama,

Local legislation;

By Mr. Williams, of Henry—

H. 959. To require the judge of probate of Henry county to keep abstracts of deeds and mortgages filed in his office, on file in the office of the clerk of the circuit courts in Columbia and Dothan,

Revision of laws ;

Also,

H. 960. To regulate the sale of real estate within the jurisdictions of the circuit courts held at Columbia and Dothan, Henry county,

Revision of laws ;

By Mr. Roach—

H. 961. To amend an act entitled an act to amend an act entitled an act to establish and incorporate the Scott Academy at Scottsboro, in Jackson county, approved February 25th, 1889,

Education;

Also,

H. 962. To authorize the Tri-State Normal University to receive public school funds for students within school age,

Education;

By Mr. O'Brien (by request)—

H. 963. To amend section 2 of an act entitled an act to make further provision for the duties of coroner and the costs of coroners inquest, approved February 28th, 1887, so far as the same relates to Jefferson county,

Claims and fees ;

Also,

H. 964. To amend section 2 of an act which was approved December 11th, 1886, entitled an act to amend section 2 of an act approved December 30th, 1868, entitled an act to amend the caption and first, and the third sections of the act entitled an act to incorporate the Pioneer Petroleum Company, approved February-8th, 1866,

Corporations;

Also,

H. 965. To incorporate the State Land Trust Company,

Corporations;

By Mr. Lipscomb—

H. 966. To increase the powers of the criminal court, of Jefferson county,

Revision of laws ;

By Mr. Rabb-

H. 967. To repeal an act to repeal an act to be entitled an act to incorporate the town of Alco, in the county of Escambia and state of Alabama, approved February 13th, 1889,

Corporations;

Also,

H. 968. To repeal an act entitled an act to constitute the town of Alco, in Escambia county, Alabama, as a separate school district, approved February 27th, 1889,

Education ;

By Mr. Tuck—

H. 969. To require persons selling corn meal in sacks or other packages to print or write upon the sack or package containing such corn meal the number of pounds. of such meal contained in such sack or package, sold by such person,

Agriculture ;

By Mr. Fielding (by request)—

H. 970. To repeal an act entitled an, act to authorize--

and direct the commissioners court of Limestone county to establish districts in said county in which hogs, sheep and goats may be prevented from running at large, approved February 1st, 1893,

Local legislation ;

By Mr. Wood—

H. 971. For the relief of H. L. Martin, register in chancery for Macon county, Alabama,

Appropriations ;

Also, (with petition)—

H. 972. To prevent stock from running at large in sections 31, 32, 29, and west half (½) of 28, township 18, range 24, in Macon county,

Local legislation ;

By Mr. Smith, of Mobile—

H. 973. To authorize riparian proprietors, who have erected, or maintained, piles, booms, bulk-heads and other structures in front of their property, to collect compensation for the use thereof by others,

Commerce and common carriers ;

By Mr. Robinson—

H. 974. To amend section 3258 of the code of Alabama,

Judiciary;

By Mr. McCorvey (by request)—

H. 975. For the relief of R. N. Callahan, of Conecuh county,

Appropriations :

Also, (by request)—

H. 976. To establish the city court of Evergreen,

Judiciary;

By Mr. Screws—

H. 977. To incorporate King David's Temple, No. 3, a benevolent society, of the city of Montgomery,

Corporations ;

By Mr. Sanford—

H. 978. To confer, pdditional powers on the courts of county commissioners and boards of revenue,

Judiciary;

Also,

H. 979. To incorporate the Citizen's Hose Company No. 5, located in the city of Montgomery, Montgomery county, Alabama,

Montgomery delegation;

Also (by request)—

H. 980. To incorporate the Southern Home Insurance Company, and to define its rights, powers and franchises,

Corporations;

By Mr. Deans—

H. 981. To amend section fifteen of an act to provide for and regulate contests of elections to offices, state and county, herein named, approved February 10, 1893,

Privileges and elections;

Also,

H. 982. To repeal an act to regulate and prescribe the manner of electing county commissioners of Pike, Bullock, Washington, Baldwin, Butler, Choctaw, Fayette, Shelby, DeKalb and Pickens counties, so far as the same relates to Shelby county,

Local legislation;

By Mr. Gaines—

H. 983. To amend sections one and two of an act to declare the Black Warrior River a navigable stream within the limits of Walker county, and to prohibit the obstruction of the same,

Commerce and common carriers ;

By Mr. Willett—

H. 984. To repeal an act entitled an act to amend section one of an act to establish a new charter for the town of Carrollton,

Corporations;

By Mr. Boykin—

H. 985. To real section 705 of the code of Alabama, Judiciary;

By Mr. Fulton—

H. 986. To prohibit the sale, giving away or disposing of poultry dressed or undressed, in Jefferson county, Alabama, except between the hours of ten (10) o'clock a. m., and four (4) o'clock p. m., and except by regular dealers who sell from a known place of business,

Temperance ;

Also, (by request) with petition—

H. 987. To exclude certain territory from the corporate limits of the city of Birmingham,

Corporations ;

By Mr. Grant—

H. 988. To refund to persons the purchase money paid for lands erroneously sold by the state,  
Judiciary;

By Mr. Hearne—

H. 989. To amend section 954 of the code so far as the same relates to Choctaw county,  
Revision of laws.

#### BILLS ON SECOND READING.

The chairmen of the several committees, reported favorably on the following bills :

H. 588. To amend certain sections of the charter of the town of Oxford, and to give said town of Oxford power to issue bonds,

With amendment;

H. 598. To regulate trials by juries in the county court of DeKalb, and to regulate appeals from convictions in said court;

H. 638. To prevent butcher pens on or along public roads within three miles of the corporate limits of the city of Montgomery;

H.655. To amend section 1319 of the code of Alabama ;

H. 679. For the relief of justices of the peace, notaries public and exercising the same jurisdiction and the same powers of justices of the peace and constables of Greene county, Alabama;

H. 731. To confer additional powers and rights upon the Fidelia Club of Mobile,  
(With amendment and minority report) ;

H. 732. To confer additional powers and rights upon the Athelstan Club of Mobile,  
(With amendment and minority report) ;

H. 736. To authorize the mayor and city council of Troy, Alabama, to issue bonds of said city for an amount not exceeding twenty thousand dollars, for the purpose of purchasing land and erecting and equipping school buildings thereon ;

H. 801. To authorize a vote of the legal voters of Daviston, beat 17, in Tallapoosa county, to decide whether spirituous, vinous or malt liquors shall be sold

within the corporate limits of the town of Daviston in said beat;

H. 804. To further provide for and regulate the trial of misdemeanors in Washington county ;

H. 812. To prescribe the duties of officers and other persons in regard to property of persons arrested and to fix penalties for violations thereof;

H. 813. To prescribe, the compensation of the judge of probate of Morgan county, Alabama, for services as judge of the county court of said county ;

H. 814. To authorize the corporate authorities of the town of New Decatur, in Morgan county to require the male inhabitants of said town within certain ages to perform work and labor on the streets and highways of said town, for the purpose of opening, maintaining and keeping said streets and highways in proper repair, and to require those failing to perform such work and labor to pay annually a sum of money to be devoted to the opening, repair and maintenance of the streets and highways of said town ;

H. 827. To define what municipal corporations are cities, what towns, and what are villages ;

H. 852. To amend an act to incorporate the town of Eunola, in Geneva county ;

H. 857. To amend sections 2 and 3 of an act entitled an act to incorporate the town of Abbeville, in the county of Henry, approved February 8, 1872 ;

H. 880. Providing for the payment of the costs in certain cases where defendants were convicted of felonies in the city court of Talladega and after serving part of their respective terms in the penitentiary here released ;

H. 887. To amend section 2056 of the code of Alabama, in relation to additional bond for sheriff and coroner ;

H. 917. To create the town of Greensboro, Alabama, a separate school district, to incorporate the same, and define its powers and duties, and to provide for the maintenance and management of the public schools of said district;

H. 949. To provide for repairing and furnishing the capitol, and improving the capitol grounds ;

s. 198. To amend sections two and three of an act entitled an act to regulate Mobile harbor, approved February 28, 1889;



s. 188. To repeal sections nine and ten of an act of the general assembly of Alabama, approved February 19, 1883, and entitled an act to incorporate the Bienville Water Supply Company.

The above and foregoing bills were severally read a second time and placed on the calendar.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

In accordance with the joint resolution heretofore concurred in, the president of the senate has erased his signature from the house bill 479, and I herewith transmit the said bill to the house to enable you to erase your signature therefrom ;

And has originated and passed the following bills and ordered the same forthwith sent to the house without engrossment:

s. 173. To amend an act entitled an act to incorporate the city of Columbia in the county of Henry, approved February 21, 1893 ;

s. 117. For the relief of the several sheriffs of the state of Alabama, who collected fees from the state for releasing prisoners, under the provisions of an act entitled "An act to provide for the payment of costs on convictions of felony, where the defendant is sentenced to imprisonment in the penitentiary," approved February 25, 1889;

s. 244. To appropriate the amount of the per diem, for the term for which the late Hon. P. S. Holt was elected to serve as a member of the house of representatives from Macon county, in the general assembly which accrued prior to the date of the special election to fill the vacancy caused by his death, to the widow of said representative;

s. 240. To proscribe the venue in suits against assignees under a general assignment for the benefit of creditors;

s. 231. For the better enforcement of certain statutory lieus;

s. 224. To amend sections 3, 5, 6,7,10,11,12, 15,17, 18,24,27,35,37, 38,42, 52,53,54,55,57,59,60, 61, 62, 65, 66, 71, 73, 77, 78, 79, 81, 83, 84, 85 and 96. and to repeal section 82 of an act to establish a new charter for

the City of Montgomery, approved February 21st, 1893.

The last named bill was ordered to be sent to the house without engrossment.

s. 264. To repeal an act entitled an act "To regulate the trial of misdemeanors in Madison county," approved February 9th, 1877, and all acts amending the same ;

s. 211. To amend section 4298 of the code of Alabama ;

s. 135. To allow manufacturers of domestic wines. from the juice of any domestic fruits, or berries to sell or dispose of the same without paying a license therefor;

And has concurred in the house amendment to the senates joint resolution,

Relieving the secretary of state from liability for books-used by members of the general assembly, and receipted for to him by the door-keepers of the two houses.

W. C. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set-forth in the above and foregoing message, were severally read once, and referred to the committees, as follows :

s. 117 and 244, to appropriations ;

s. 173, to corporations;

s. 240 and 135, to judiciary;

s. 231, 211 and 264, revision of laws;

s. 224, special committee of Montgomery delegation,

And the speaker of the house erased his signature from. H 479.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

The committee on enrolled bills, report the following bills correctly enrolled:

H. 107. To repeal an act entitled an act to regulate the pay of the judge of probate and clerk of the circuit court of Covington county, for services ex-officio, approved January 28th, 1891;

H. 322. To provide for the election of county superintendent of education of Sumter county;

H. 250. To create a separate school district in the city of Jasper, Alabama, to define the boundaries thereof, and provide for the maintenance of schools therein ;

H. 521. To establish a new charter for the town of Lanett in Chambers county.

J. H. MONTGOMERY,  
Chairman.

#### SIGNING OF BILLS.

The speaker of the house in the presence of the house-immediately after their titles had been publicly read by the clerk signed the bills whose titles are set out in the foregoing report of committee on enrolled, bills.

#### BILLS ON THIRD READING.

H. 237. To prevent the abandonment of maimed, diseased, disabled or infirm animals by their owners or custodians,

Was read a third time, at length; and passed—yeas 38, nays 4.

Yeas :

Messrs. Barren, Beeson, Cook of Talladega, Cook of Wilcox, Dale, Davis, Fleming, Fletcher, Fulton, Gewin, Graham, Grant, Graves, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Meador, Meadows, Mahan, Mills, Mixon, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Rabb, Rand, Roach, Robbins, Rowe, Summers, Tuck, Ward, Wood—38.

Nays:

Messrs. Cole, Coleman, Fuller and Gains—4.

H. 235. To amend section 2 of the act entitled "an act to authorize corporations organized under the general incorporation laws of the state, or which have been chartered by an act of the general assembly prior to the enactment of the general incorporation laws of this state of 1867 to alter and amend their charters," approved December 12, 1888,

Was read a third time, at length, and passed—yeas 57, nays 0.

Yeas.

Messrs. Banks, Barron, Beasley, Beeson, Bellinger, Boykin, Burns, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Fuller, Gains, Gibbons, Graham, Grant, Graves, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Mixon, Moore, McClusky, McCorvey, McQueen, O'Brien, Patton, Perry, Rand, Reaves, Roach, Robbins, Robinson, IRouton, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Greene, Taylor, Tuck, Turner, Williams of Bullock, Williams of Henry, Wood—57.

H. 283. To establish "a separate school district in Winston county, to be known as the Poplar Springs School District,

Was read a third time fit length and passed—yeas 64, nays 0.

Yeas :

Messrs. Banks, Barron, Beeson, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Camp, Coleman, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Hill, John, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mayfield, Meadows, Mahan, Mixon, Moore, McCorvey, McQueen, O'Brien, Ott, Patton, Prowell, Rand, Roach, Robbins, Robinson, Rowe, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Williams of Bullock, Williams of Henry, Wood—64.

H. 282. To establish a separate school district to be known as Freeman School District in Winston county, Alabama,

Was read a third time at length and passed—yeas 63, nays 0.

Yeas:

Messrs. Banks, Barron, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Burks, Burns, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ewing, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Hearn, Jackson, John, Kennedy, Killebrew, Kyle, Langley, Mayfield, Meadows, Ma-

han, Mills, Mixon, McCorvey, McQueen, O'Brien, Patton, Rand, Roach, Robinson, Rogers, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Ward, Willett, Williams of Bullock, Williams of Henry, Wood—63.

H. 270. To amend an act entitled an act to relieve married women of their disabilities of minority, approved February 21st, 1893,

A substitute was adopted, and the bill was read a third time at length and passed—yeas 58, nays 2.

Yeas:

Messrs. Banks, Barron, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Burks, Burns, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ewing, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Graham, Graves, Jinks, Kelly, Knight, Kyle, Lipscomb, Maples, Mastin, Meadows, Mills, McQueen, O'Brien, Patton, Reaves, Roach, Robbins, Rogers, Rowe, Routon, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Wheelless, Williams of Bullock, Williams of Henry—58.

Nays :

Messrs. Brown of Russell and Mayfield.

H. 200. To amend section 3012 of the code 1886 of Alabama,

Was read a third time, at length, and passed—yeas, 56, nays 2

Yeas:

Messrs; Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Ewing, Fletcher, Forman, Fulton, Gibbons, Grant, Graves, John, Kelly, Kennedy, Knight Kyle, Langle, Lipscomb, Maples, Mastin, Mayfield, Meador, Mahan, Mixon, McClusky, McQueen, O'Brien, Patton, Perry, Prowell, Scarborough, Smith of Autauga, Smith of Mobile, Tuck, Turner, Williams of Bullock, Williams of Henry, Wood—56.

Nays : Messrs. Davis and Rabb—2.

H. 197. To provide for exemptions from administration in favor of the minor child or children of certain property on the death of their mother, and to provide for the setting apart thereof,

Was read a third time, at length, and passed—yeas 67, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Boy kin, Brown of Conecuh, Brown of Russell, Burns, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Graves, Harris, Hill, Jackson, Kelly, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mahan, Moore, McClusky, McCorvey, McQueen, Ott, Rand, Roach, Robbins, Robinson, Rowe, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Taylor, Tuck, Turner, Ward, Wheelers, Williams of Bullock, Williams of Henry, Wood—67.

H. 324. To require the owners of stallions who keep them for profit, to pay a license for the use of the county in which such stallions are kept,

Was taken up.

Pending the consideration of this bill the house adjourned until 10 o'clock a. m. to-morrow.

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THIRTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,

January 28, 1895.

The house met pursuant to adjournment.  
Prayer by Rev. Mr. Clements, of Limestone.  
A quorum was present.

REVISION OF JOURNAL.

The committee on the revision of journal reported the journal of yesterday correct.

REPORT OF COMMITTEE ON RULES.

The committee on rules reported favorably the following as a substitute for Mr. Ott's resolution :

Resolved, That on the regular call of members at the

afternoon session for local bills, any member, when his name is called, may call up a general bill by its number provided he shall give notice at the morning session of his intention to do so,

Which was adopted.

#### RESOLUTIONS.

By Mr. John—

Resolved, That on and after Wednesday, February 6, 1895, this house shall meet at 10 o'clock a. m., take recess from 1 to 3 p. m. and from 5 :30 to 7 :30 p. m., and adjourn at will.

That the night session provided for in this rule, shall be set apart for consideration of local bills, which shall not be called at any other session, and no general bill shall be called or considered at any night session, unless such action be recommended by the committee on rules,

Which, being favorably reported, was adopted.

By Mr. Kelly—

Resolved by the house, the senate concurring, That the president of the senate and speaker of the house be and are hereby requested to erase their signatures to the following bills, to-wit: H. 56, 71, 243, for the purpose of amendment,

Which was referred to the committee on rules.

#### INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time and referred to appropriate committees , as follows :

By Mr. Bellinger—

H. 990. To authorize the solicitor of the ninth judicial circuit to appoint two deputies for Blount county, Revision of laws;

By Mr. Hearne—

H. 991. To regulate the hire of servants for the capitol building, Appropriations;

Also,

H. 992. To regulate the pay of watchmen of the capitol,

Appropriations;

By Mr. Grant—

H. 993. To provide for the payment of claims against the fine and forfeiture fund of Clarke county,

Local legislation ;

By Mr. Beasley—

H. 994. To prohibit the sale, giving away, delivery, transfer, parting with, procuring, or other disposition of spirituous, vinous or malt liquors or intoxicating bitters within five miles of the Andalusia High School, Baptist and Methodist Churches,

Temperance;

Also,

H. 995. For the relief of B. H. Lewis, E. G. Padgett and Jacob Neese, the sureties on the official bond of Wm. M. Snider as superintendent of Covington county,

Appropriations ;

By Mr. Burks—

H.996. To establish a separate school district to be known as the Joppa School District in Cullman county, Alabama,

Education ;

By Mr. Killebrew—

H. 997. To amend an act entitled an act to amend sub-division 18 of section 137 of the code of 1886, approved February, 1891,

Agriculture ;

By Mr. Savage—

H. 998. To regulate the fine and forfeiture fund in the county of Fayette,

Local legislation;

By Mr. John—

H. 999. To amend and re-enact sections 3018, 3022, 3025, 3026, 3027, 3028, 3041, and to amend section 3048, of the code of Alabama,

Judiciary;

Also, (with petition)

H. 1000. To prohibit stock from running at large in beat 9, 12, 13,16 and 17, in Tallapoosa, county,

Local legislation ;

By Mr. Lipscomb—

H. 1001. To amend section 6 of an act entitled "An act to provide for the making and maintaining the pub-



lic roads and bridges in Jefferson county, Alabama," approved December 17th, 1894;

Public roads and highways ;

By Mr. Kennedy—

H. 1002. To fix the maximum of tolls to be charged by the owners, leasees, or operators of the road bridge crossing the Tennessee river between the counties of Colbert and Lauderdale, and known as the Florence Bridge, and to fix the penalties for demanding or receiving a higher rate of toll,

Commerce and common carriers ;

By Mr. Summers—

H. 1003. To amend an act entitled an act to regulate the disposition and management of the bequest made by James Wallace, late of Lawrence county, Alabama, for the benefit of free public schools in township seven, range nine west, in said county, approved December 11th, 1873;

Revision of laws ;

By Mr. Screws—

H. 1004. To amend an act entitled an act to incorporate the Grand Lodge of Alabama, of the Independent Order of Oddfellows, and its subordinate lodges, approved January 13th; 1846,

Corporations;

Also,

H. 1005, To amend section 52 of the charter of Montgomery,

Montgomery delegation;

Also,

H. 1006. To consolidate the offices of clerk of the city council of Montgomery, and city treasurer of Montgomery,

Montgomery delegation;

By Mr. Patton—

H. 1007. To authorize the mayor and Aldermen of the city of Tuscaloosa, to issue bonds of said city for an amount not exceeding fifty thousand dollars, bearing six per cent interest, payable semi-annually for the purpose of purchasing extending and maintaining water-works -to supply said city and the inhabitants thereof with water, and to operate the same,

Corporations;

41 h

By Mr. Mixon—

H. 1008. To incorporate the town of Enterprise in Coffee county, Alabama,

Corporations;

By Mr. Moore—

H. 1009. To establish the 13th judicial circuit of the state of Alabama, to fix the time of holding courts therein, and to provide for the appointment of a judge and the election of a solicitor for said circuit,

Judiciary;

By Mr. Franklin—

H. 1010 To authorize and regulate the sale of real and personal property for city taxes in the city of Fort Payne, DeKalb county, Alabama, and for the redemption of lands sold for city taxes,

Local legislation ;

By Mr. Wood, with petition—

H. 1011. To prevent stock from running at large in a certain portion of Macon county,

Local legislation ;

Also, (with petition,)

H. 1012. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating wines or bitters within four miles of Neals Chapel in beat eight in Macon county, Alabama,

Temperance ;

By Mr. Smith of Autauga, with notice and proof—

H. 1013. To refund to Warren L. Debardeleben of Autauga county, taxes erroneously assessed and paid by him on lands in Baldwin county,

Appropriations;

By Mr. O'Brien, with notice and proof—

H. 1014. For the relief of Mack Holmes,

Appropriations;

By Mr. Sanford—

H. 1015. To exempt from levy and sale under execution or other process agricultural implements, mechanics tools and libraries, not kept for sale,

Ways and means;

Also,

H. 1016. To regulate the manufacture, sale and use of any article or compound which shall be in imitation of genuine butter,

Public health ;

By Mr. Kelly—

H. 1017. To amend section 2572 of the code,

Judiciary;

Also,

H. 1018. To incorporate the Southern Mutual Fire Insurance Company of Alabama,

Banking and Insurance ;

By Mr. Mahan—

H. 1019. For the relief of persons who have paid for and taken out a liquor license and prohibited by a subsequent act from selling under said license,

Revision of laws;

Mr. Hill—

H. 1020. To regulate defenses to actions on policies of Life Insurance,

Banking and insurance ;

By Mr. Lipscomb—

H. 1021. To provide the amounts and payments of the fees of jurors and state witnesses in the trial of criminal cases in Jefferson county, Alabama,

Judiciary ;

Mr. Forman—

H. 1022. To prohibit taking fish by net, seine, poison or dynamite from any of the creeks or from Coosa river at any place within St. Clair county,

Local legislation;

Also,

H. 1023. To prohibit catching birds with a net in St. Clair county,

Local legislation;

By Mr. Jinks—

H. 1024. To amend an act, approved February 2, 1893, to authorize the mayor and council of the town of Union Springs to issue bonds of said town for an amount not exceeding thirty thousand dollars for the purpose of erecting and maintaining a system of water-works and a system of electric lights one or both in said town,

Corporations;

By Mr. Jackson—

H. 1025. To authorize the commissioners court of Lee county, to levy a tax for the purpose of working the public roads of said county, and to let out said roads by contract,

Public roads and highways ;

By Mr. Ward, (by request)—

H. 1026. To establish, organize and maintain a system of schools throughout the state of Alabama,

Education;

By Mr. John—

H. 1027. To provide for a state exhibit at the Cotton States and International Exposition to be held in Atlanta, September 18th, to December 31st, 1895;

Appropriations ;

By Mr. Maples—

H. 1028. To require that all school moneys be applied as provided by the constitution,

Education;

By Mr. Wheelless—

H. 1029. To fix the time when the officers of Phoenix City, Alabama, elected hereafter, shall qualify and

enter upon the duties of the office,

Lee delegation.

#### BILLS ON SECOND READING.

The chairmen of the several committees reported favorably on the following bills :

H. 979. To incorporate The Citizens Hose Company No. 5, located in the city of Montgomery, Montgomery county, Alabama;

H. 862. To incorporate the Fidelity Loan and Trust Company;

H. 789. To amend section 1206 of the code of Alabama ;

H. 830. To authorize the commissioners courts of Cherokee, Etowah and DeKalb counties to levy a tax for working the public roads of said counties and to let out said roads by contract;

H. 873. To consolidate and adjust the bonded debt of the state of Alabama ;

H. 537. To change a portion of the boundary line between the counties of Washington and Mobile,

With substitute;

H. 726. To amend section one, two and twelve of an act to establish and provide for the maintenance of a quarantine by improved methods, against the introduc-

tion of yellow fever and other infectious and contagious diseases in the state of Alabama, approved February 16th, 1891;

H. 115. To regulate the manufacture and sale of spirituous, vinous and malt liquors in the city of Bridgeport,  
With adverse report;

H. 552. To prohibit the sale, giving away or otherwise disposing of any spirituous, vinous or malt liquors, intoxicating drinks or beverages or fruits preserved in alcoholic liquors within three miles of Bethel Baptist Church, Pleasant Hill Christian Church, Leesdale Christian Church, Forrest Chapel Methodist Church, Candy's Cove Methodist Church, Mount Tabor Methodist Church, Lebanon Baptist Church, Lacon Presbyterian Church, Fairview Presbyterian Church, Coopers School House, Crows School House and Collins School House, in Morgan county, Alabama,

With amendment;

H. 744. To amend an act to incorporate the city of Tuskaloosa, approved March 12th, 1873, by the addition of sections 99, 100 and 101 in reference to the levy and collection of a tax on certain persons, businesses, and vocations within the corporate limits of said city, and the licensing, restraining and regulating of the same, and to provide punishment for the doing of such businesses without having taken out a license or paid such tax;

H. 720. To incorporate the Young Mens' Christian Association of Mobile, Alabama, and to define the powers thereof;

H. 714. To amend section one of an act to authorize the consolidation of street railway, electric light or gas companies;

H. 697. To incorporate the Southern Coal Company;

H. 883. To amend section four of an act to incorporate the city of Syllacauga, approved February 26, 1887;

H. 771. To amend the charter of the town of Greensboro, in Hale county, Alabama, and all acts amendatory thereto;

H. 853. To amend an act entitled an act to incorporate the town of Geneva, in Geneva county, approved March 4th, 1875;

H. 757. To establish a charter for the city of Fruit-hurst, in Cleburne county, Alabama ;

H. 718. To dissolve the incorporation of the Mobile Athletic Association, incorporated under the general laws of this state ;

H. 777. To amend section 19 of an act entitled an act to establish a charter for the city of Bridgeport;

H. 969. To require persons selling corn meal in sacks or other packages to print or write upon the sack or package containing such corn meal the number of pounds of such meal contained in such sack or package sold by such person.

The above and foregoing bills were severally read a second time and placed on the calendar.

H. 157 was taken from an adverse report and re-committed to the committee on banking and insurance.

H. 346 was re-committed to local legislation committee.

#### SPECIAL ORDERS.

H. 789 was made a special order for Tuesday morning (to-morrow) at 11 o'clock.

H. 873 was made a special order for Wednesday, the 30th inst, immediately after the reports of the standing committees.

#### UNFINISHED BUSINESS.

The house resumed consideration of

H. 324. To require the owners of stallions, who keep them for profit, to pay a license for the use of the county in which such stallions are kept,

And the bill,

Was amended, read a third time, at length, and passed—yeas 46, nays 15.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Brown of Conecuh, Burks, Burns, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Dale, Ellis, Ewing, Ford, Forman, Franklin, Fuller, Gains, Gibbons, Grant, Graves, Harris, Jackson, Langley, Mastin, Meador, Meadows, Patton, Prowell, Rand, Roach, Robbins, Robinson, Rog-

ers, Screws, Seale, Smith of Butler, Summers, Taylor, Tuck, Turner, Wheelless, Willett, Williams of Bullock, Williams of Henry—46.

Nays:

Messrs. Speaker, Curtis, Davis, Fielding, Killebrew, Kyle, Mahan, Montgomery, McClusky, McCorvey, Reaves, Rowe, Smith of Greene, Wood—15.

#### BILLS ON THIRD READING.

H. 433. To authorize the city council of Selma to issue bonds and borrow money for the purpose of providing and maintaining a system of water works in Selma;

Was read a third time, at length, and passed—yeas 59, nays 0.

Yeas :

Messrs. Banks, Beasley, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ellis, Ewing, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Harris, Kelly, Kennedy, Killebrew, Langley, Maples, May field, Meadows, Mahan, Mixon, McClusky, McCorvey, O'Brien, Ott, Perry, Prowell, Reaves, Robbins, Robinson, Rogers, Routon, Savage, Scarborough, Taylor, Tuck, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—59.

H. 804. To further provide for and regulate the trial of misdemeanors in Washington county,

Was read a third time at length and passed—yeas 60, nays 0.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Burns, Cameron, Cole, Cook of Wilcox, Curtis, Dale, Fielding Fletcher, Forman, Franklin, Fuller, Fulton, Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, Jackson, Killebrew, Kyle, Langley, Lipscomb, Maples, Meadows, Montgomery, Moore, McClusky, McCorvey, O'Brien, Patton, Rabb, Rand, Reaves, Roach, Robinson, Rogers, Rowton, Savage, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry, Wood—60.

H. 746. For the relief of S.W. McDowell,

Was read a third time at length and passed—yeas 67,  
nays 0.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burns, Cameron, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ellis, Ewing, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jinks, Kelly, Killebrew, Langley, Maples, Mayfield, Meador, Meadows, Mixon, Montgomery, Moore, McClusky, McCorvy, Ott, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Rogers, Sanford, Savage, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—67.

H. 65. Was indefinitely postponed.

H. 42. To incorporate the Independent Brothers of Love,

Was read a third time, at length, and passed—yeas 61,  
nays 0.

Yeas :

Messrs. Barren, Beasley, Beeson, Bellinger, Brooks, Brown of Russell, Burks, Burns, Calhoun, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ellis, Ewing, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Gains, Gibbons, Graham, Grant, Graves, Harris, Jinks, Kennedy, Langley, Maples, Martin, Meadows, Mahan, Mills, Montgomery, Moore, McClusky, McCorvey, O'Brien, Ott, Patton, Prowell, Roach, Robbins, Robinson, Rogers, Rowe, Savage, Smith of Autauga, Smith of Greene, Smith of Mobile, Turner, Wheelless, Whitten, Williams of Bullock Williams of Henry, Wood—61.

H. 192. To allow the circuit court clerk of Limestone county, Alabama, certain fees for performing official duties not otherwise provided for, commonly known as ex-officio fees,

Was read a third time, at length, and lost—yeas 29,  
nays 30.

Yeas :

Messrs. Boykin, Brooks, Cameron, Coleman, Cook of Talladega, Cook of Wilcox, Fielding, Fletcher, Fuller



Jackson, Killebrew, Langley, Meadows, Mahan, Mixon, McClusky, Rabb, Robbins, Rogers, Rowe, Sanford, Scarborough, Seale, Smith of Butler, Smith of Greene, Turner, Ward, Wheelless, Williams of Henry, Wood—29.

Nays:

Messrs. Barron, Beasley, Brooks, Brown of Russell, Burns, Cook of Talladega, Curtis, Dale, Davis, Ellis, Ewing, Fulton, Gibbons, Grant, Graves, John, Kelly, Kennedy, Lipscomb, Mayfield, Moore, McQueen, O'Brien, Ott, Patton, Prowell, Rand, Robinson, Smith of Autauga, Smith of Mobile, Tuck, Williams of Bullock—30.

H. 453. Was informally passed over, without losing its place on the calendar.

H. 96. To amend section 3588 of the code,

Was amended, read a third time at length and passed—yeas 60, nays 0.

Yeas :

Messrs. Barron, Beasley, Boykin, Brooks, Brown of Russell, Burns, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ewing, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Graham, Grant, Graves, Harris, Jinks, John, Kelly, Kennedy, Killebrew, Langley, Lipscomb, Maples, Mastin, Meador, Meadows, Moore, McClusky, McCorvey, McQueen, Patton, Rand, Robbins, Robinson, Rogers, Routon, Sanford, Savage, Scarborough, Smith of Butler, Smith of Mobile, Summers, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood--60.

Mr. Robinson moved to reconsider the vote by which the bill was ordered to a third reading and also of the vote by which the bill was passed.

Carried.

And the bill was indefinitely postponed.

s. 42. To amend section 3588 of the code,

Was read a third time at length and passed—yeas 64, nays 0.

Yeas :

Messrs. Speaker, Banks, Beasley, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Ellis, Ewing, Ford, Ful-

ton, Gains, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jackson, Kelly, Langley, Maples, Mastin, Mayfield, Mahan, Mills, Mixon, Montgomery, Moore, McCorvey, O'Brien, Ott, Perry, Prowell, Reaves, Robbins, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Wood—64.

H. 258. To amend sections 3870 and 3871 of the code, Was read a third time at length and passed—yeas 63, nays 1.

Yeas :

Messrs. Banks, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Burns, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ellis, Ewing, Fielding, Fulton, Grant, Graves, Harris, Hearn, Hill, Jackson, Kelly, Killebrew, Langley, Lipscomb, Manning, Mastin, Mayfield, Meador, Mahan, Montgomery, Moore, McClusky, McCorvey, McQueen, Ott, Prowell, Rabb, Roach, Robbins, Robinson, Rogers, Routon, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry, Wood—63.

Nays:

Mr. Fuller—1.

H. 271. To amend sections 1, 2, 15, 16, 19, 20 and 21 of an act to create the office of inspector of mines and to prescribe the duties and powers of such office, approved February 16, 1893,

Was read a third time at length, and passed—yeas 67, nays 0.

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deans, Fielding, Fleming, Fletcher, Forman, Fuller, Fulton, Gains, Gibbons, Graham, Graves, Hearn, Jinks, John, Kelly, Killebrew, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mills, Montgomery, Moore, McCorvey, McQueen, O'Brien, Ott, Patton, Rand, Roach, Robinson, Rogers, Routon, Sanford, Savage, Screws, Seale, Smith of Butler, Smith of Greene, Smith of Mobile, Summers,

Taylor, Tuck, Ward, Williams of Bullock, Williams of Henry—67.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

The committee on enrolled bills report the following bills correctly enrolled:

H. 183. To amend section 968 of the code of Alabama, so as to change the date from the last Monday in October to the second Monday in September ;

H. 383. To authorize the mayor and aldermen of the town of Gurley, in the county of Madison, state of Alabama, to issue bonds of said town for the purpose of providing said town with water ;

H. 404. To establish a separate school district in Monroe county, Alabama, and fix the boundaries of same;

H. 467. To incorporate Spring Lake College;

H. 478. To incorporate the town of Brantley, Orenshaw county ;

H. 502. To incorporate Coffee Springs Camp Grounds, in Geneva county, to authorize and empower the trustees, cabin owners and tent holders to pass and enforce rules and regulations to maintain and preserve good order within one mile of said camp grounds and to control its management;

H. 506. To repeal an act entitled an act to better provide for the establishment and working of the public roads in Tallapoosa and Randolph counties, approved February 21, 1893;

H. 518. To amend sections 1 and 2 of an act to incorporate the town of Rutledge, in the county of Crenshaw, and state of Alabama, approved February 11th, 1893.

J. H. MONTGOMERY,  
Chairman.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bills, your signature thereto is requested :

s. 64. To establish the Hayne School District in Lowdnes county;

s. 46. For the relief of James J. S. Willis as tax collector of Barbour county, Alabama ;

J. R. Relieving the secretary of State from liability for books used by members of the general assembly, and receipted for, to him, by the door-keepers of the two houses;

s. 30. To regulate and prescribe the manner of electing the county commissioners of Bibb county,

W. L. CLAY,  
Secy.

#### SIGNING BILLS.

The speaker of the house in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set forth in the foregoing report of committee on enrolled bills and message from the senate.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended as therein shown, and, as amended, has passed the house bills :

H. 232. To incorporate the Huntsville District High School of the Methodist Episcopal Church, South, in the town of New Market, Madison county, Alabama ;

H. 452. To prohibit the sale or giving away or otherwise disposing of vinous, spirituous, or malt liquors, or intoxicating bitters, or beverages within beat number two (commonly known as Crawford beat) in Russell county;

And has passed the house bills,

H. 183. To amend section 968 of the Code of Alabama, so as to change the date from the last Monday in October to the second Monday in September;

H. 383. To authorize the mayor and aldermen of the town of Gurley, in the county of Madison, State of Alabama, to issue bonds of said town for the purpose of providing said town with water ;

H. 404. To establish a separate school district in Monroe county, Alabama, and to fix the boundaries of same ;

H. 502. To incorporate Coffee Springs camp grounds, in Geneva county, to authorize and empower the trus-

tees, cabin owners and tent holders to pass and enforce rules and regulations to maintain and preserve good order within one mile of said camp grounds and to control its management;

H . 506. To repeal an act entitled an act to better provide for the establishment and working of the public roads in Tallapoosa and Randolph counties, approved Feb. 11th. 1893 ;

And has originated and passed the following bills :

s. 259. For the relief of persons who have purchased lands from the state which lands were bid off for the state at tax sale, and from any cause were not subject to sale by the state ;

s.277. To dissolve the incorporation of the Mobile Athletic Association, incorporated under the general laws of this state ;

s. 308. To limit the time within which the old bonds of the state may be exchanged for the new bonds authorized by the act approved February 23rd, 1876 ;

s. 227. To provide a penalty for violators of prohibition laws of this state.

s. 241. To provide for repairing the macadamized roads in Colbert county ;

s. 260. To amend an act to establish the George N. Gilmer School District in Lowndes county. Approved 14th Feb., 1887;

s. 237. To authorize and require the commissioners court of Sumter county to set apart and appropriate money from the general fund of said county with which to pay and discharge certificates of state's witnessess, issued by the forman of the grand jury and by the clerk of the circuit court and county court of said county, and officers' fees, which by law become a good claim against the fine and forfeiture fund of said county, after the approval of this act, and to regulate the manner of said payments; also, for the re-registration of outstanding valid claims against the fine and forfeiture fund of said county and to regulate the payment of the same.

s. 278. To incorporate the Young Men's Christian Association of Mobile, Alabama, and to define the powers thereof;

s. 307. To fix the pay and salaries of certain State officers.

s. 314. To provide for the calling and holding of meetings of stockholders of railroad corporations in certain cases, and regulating the voting, the election of officers, and the transaction of other business at such meetings;

s. 317. To require the superintendent of the Faunsdale school district to pay the teachers monthly;

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just recieved, whose titles are set forth in the above and foregoing message, were severally read, once, and referred to the committees, as follows :

To ways and means, s. 259, s. 308;

To corporations, s. 278, s. 277 ;

To revision of laws, s. 227, s. 137, s. 314;

To public roads and highways, s. 241;

To education, s. 260, s. 317 :

To judiciary, s. 307.

And has concurred in the senate amendment to H. 232. To incorporate the Huntsville District High School of the Methodist Episcocal Church South, in the town of New Market, Madison county, Alabama.

Yeas 62, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Harris, Jackson, Jinks, Kennedy, Killebrew, Langley, Maples, Mastin, Mayfield, Meadows, McClusky, O'Brien, Ott, Patton, Rabb, Rand, Roach, Robinson, Rowe, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Tuck, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—62.

Also,

To prohibit the sale or giving away, or otherwise disposing of vinous, spirituous or malt liquors, or intoxicating bitters or beverages, within beat number two

(commonly known as Crawford beat) in Russell county.

Yeas 57, nays 0.

Yeas :

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Cameron, Camp, Col, Cook of Talladega, Cook Wilcox, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Forman, Fuller, Gains, Gibbons, Grant, Graves, Hearn, Jackson, Killebrew, Langley, Maples, Mastin, Meadows, Mixon, Montgomery, McClusky, McQueen, Patton, Robbins, Robinson, Rogers, Rowe, Routon, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Tuck, Turner, Ward, Wheelers, Williams of Bullock, Williams of Henry, Wood—57.

Notice was given by the following named gentlemen of their intention to call up for passage this afternoon :

Mr. Willett, H. 821;

Mr. Coleman, H. 822;

Mr. Forman, s. 57.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the house joint resolution, Recalling house bills 71, 56, 243, from the governor, for correction.

W. L. CLAY,  
Secretary.

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#### AFTERNOON SESSION.

#### BILLS ON THIRD READING.

H. 480, To authorize the municipality of Selma to force property owners to connect all waste pipes, sinks and water closets on premises with a sewer,

Was read a third time, at length, and passed—yeas 69, nays 0.

Yeas :

Messrs. Speaker, Beasley, Beeson, Boykin, Brooks, Brown of Russell, Calhoun, Camp, Cole, Cook of Wil-

cox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Gains, Gibbons, Graham, Grant, Graves, Jackson, Jinks, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mahan, Mills, Mixon, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Prowell, Rabb, Reaves, Roach, Rogers, Rowe, Routon, Sanford, Savage, Scarborough, Screws, Smith of Autauga, Smith of Greene, Summers, Tuck, Turner, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry, Wood—69.

H. 530. For the preservation of game in Madison county,

Was amended, read a third time, at length, and passed—yeas 65, nays 0.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gibbons, Grant, Graves, Jackson, Jinks, Killebrew, Kyle, Langley, Maples, Mayfield, Meador, Mixon, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rand, Roach, Robbins, Robinson, Rogers, Routon, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Tuck, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—65.

s. 57. To make United States license for the sale of spirituous, vinous or malt liquors or of alcoholic bitters, cordials, or beverages of any kind in violation of law in this state, prima facie evidence,

Was amended, read a third time at length, and passed—yeas 54, nays 3.

Yeas :

Messrs. Beasley, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Grant, Graves, Harris, Jackson, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Maples, Mayfield, Meador, Meadows, Mills, Mixon, Montgomery, Mc-



Clusky, McQueen, O'Brien, Patton, Rabb, Roach, Robbins, Rowe, Scarborough, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry, Wood—54.

Nays:

Messrs. Cameron, Deans, Taylor—3.

H. 799. To amend sections one and two of an act to establish partial stock law districts, in Talladega county, approved February 21, 1887, and all acts amendatory of said sections of said act,

Was read a third time, at length, and passed—yeas 61, nays 0.

Yeas :

Messrs. Speaker, Banks, Barron, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ewing, Fletcher, Fuller, Fulton, Gains, Gibbons, Grant, Graves, Jackson, John, Kelly, Kennedy, Killebrew, Langley, Maples, Mayfield, Meadows, McCorvey, O'Brien, Patton, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Rogers, Routon, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Wheelless, Whitten, Willett, Wood—61.

H. 822. To amend an act to amend section 141, of the code of Alabama, approved December 12, 1892.

Mr Boykin offered the following amendment:

"SEC. 2. Be it further enacted, That any manufacturer, merchant or other person, company or corporation who includes directly or indirectly the tag tax provided by the provisions of this act in the price of guano or fertilizers sold, such sale shall be void and the seller cannot collect under the laws of the state of Alabama, the amount for which the said guano or fertilizer was sold."

Mr. Graham moved to table the amendment, and the yeas and nays being ordered.

Mr. Graham's motion was lost.

Yeas 25, nays 63.

Yeas :

Messrs. Speaker, Banks, Brooks, Brown of Conecuh, Burks, Calhoun, Cameron, Coleman, Dale, Deans, Graham, Grant, Kennedy, Mahan, Mills, Montgomery,

42h

McQueen, Ott, Roach, Robbins, Summers, Tuck, Turner, Ward, Willett, Williams of Henry—25.

Nays :

Messrs. Barren, Beasley, Beeson, Boykin, Brown of Russell, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Ellis, Ewing, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Gains, Gibbons, Graves, Harris, Hearn, Hill, Jackson, Jinks, John, Kelly, Killebrew, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mixon, McClusky, O'Brien, Patton, Prowell, Rabb, Rand, Reaves, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Wheeless, Williams of Bullock, Wood—63.

Mr. Boykin's amendment was then adopted.

The amendment offered by the committee was adopted.

Mr. Davis offered an amendment as follows :

"Amend by providing that the tax so collected shall be paid into the common school funds of the state."

Mr. McQueen moved to table Mr. Davis' motion.

The yeas and nays being ordered, Mr. McQueen's motion was lost.

Yeas 32, nays 54.

Yeas :

Messrs. Speaker, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Coleman, Dale, Fletcher, Fulton, Graham, Grant, John, Kelly, Kennedy, Kyle, Lipscomb, Mayfield, Mahan, Montgomery, McQueen, O'Brien, Ott, Rabb, Rand, Roach, Robinson, Rogers, Rowe, Smith of Mobile, Turner, Ward, Williams of Henry—32.

Nays :

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Burks, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deans, Ellis, Ewing, Ford, Forman, Franklin, Fuller, Gains, Gibbons, Gravis, Harris, Hearn, Hill, Jackson, Jinks, Killebrew, Langley, Maples, Mastin, Meadows, Mills, Mixon, McClusky, Patton, Prowell, Robbins, Routon, Sanford, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Taylor, Tuck, Wheeless, Willett, Williams of Bullock, Wood—54.

The previous question was ordered, and the yeas and nays being demanded, Mr. Davis' motion was lost.

Yeas 44, nays 44.

Yeas :

Messrs. Banks, Beasley, Bellinger, Boykin, Brown of Russell, Camp, Cole, Cook of Talladega, Curtis, Davis, Ellis, Ewing, Ford, Forman, Franklin, Fuller, Gains, Gibbons, Graves, Harris, Hearn, Hill, Jackson, Jinks, Killebrew, Langley, Maples, Mastin, Meadows, Mills, Mixon, McClusky, Prowell, Reaves, Robbins, Routon, Savage, Smith of Autauga, Smith of Butler, Taylor, Wheelless, Willett, Williams of Bullock—44.

Nays:

Messrs. Speaker, Beeson, Brooks, Brown of Conecuh, Burks, Calhoun, Cameron, Coleman, Cook of Wilcox, Dale, Deans, Fielding, Fletcher, Fulton, Gibbons, Graham, Grant, John, Kelly, Kennedy, Kyle, Lipscomb, Mayfield, Meador, Mahan, Montgomery, McQueen, O'Brien, Ott, Patton, Rabb, Roach, Robinson, Rogers, Rowe, San ford, Scarborough, Screws, Scale, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Williams of Henry—44.

And the bill,

Was read a third time, at length, and lost —yeas 40, nays 45.

Yeas :

Messrs. Speaker, Banks, Beeson, Bellinger, Brooks, Brown of Conecuh, Calhoun, Cameron, Coleman, Dale, Deans, Fielding, Fletcher, Ford, Fulton, Graham, Grant, John, Kelly, Kennedy, Kyle, Lipscomb, Mayfield, Mahan, Montgomery, McQueen, O'Brien, Ott, Rand, Roach, Robinson, Rogers, Rowe, Savage, Screws, Smith of Mobile, Taylor, Tuck, Turner, Ward, Williams of Henry—40.

Nays :

Messrs. Barren, Beasley, Boykin, Brown of Russell, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Ellis, Ewing, Forman, Franklin, Fuller, Gains, Gibbons, Graves, Harris, Hearn, Jackson, Jinks, Killebrew, Langley, Martin, Meador, Meadows, Mills, Mixon, McClusky, Patton, Prowell, Rabb, Reaves, Robbins, Routon, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Wheelless, Willett, Williams of Bullock, Wood—45.

H. 821. To provide for the calling and holding of meetings of stockholders of railroad corporations in certain cases, and regulating the voting, the election of officers, and the transaction of other business at such meetings.

Mr. O'Brien moved to recommit the bill to the committee on revision of laws, pending which motion, the house adjourned till to-morrow morning at 10 o'clock.

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THIRTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,

January 29, 1895.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Elliott, of the city.

A quorum was present.

REVISION OF JOURNAL.

The committee on revision of the journal reported the journal of yesterday correct.

REPORT OF COMMITTEE ON RULES.

The committee on rules reported favorably the following resolution, which was adopted :

Resolved by the house the senate concurring, that the president of the senate and speaker of the house be and are hereby requested to erase their signatures to the following bills, to-wit: H. B. 56, 71, 243, for the purpose of amendment.

LEAVE OF ABSENCE.

Indefinite leave of absence was granted to Mr. Manning.

UNFINISHED BUSINESS.

The house resumed consideration of Mr. O'Brien's mo-

tion to recommit to the committee on revision of laws,

H. 821. To provide for the calling and holding of meetings of stockholders of railroad corporations in certain cases, and regulating the voting, the election of officers, and the transaction of other business at such meetings,

The yeas and nays being ordered, Mr. O'Brien's motion was lost.

Yeas 29, nays 55.

Yeas :

Messrs. Banks, Barren, Beeson, Brooks, Brown of Russell, Cameron, Camp, Cook of Wilcox, Curtis, Fletcher, Fulton, Gewin, Graves, John, Kennedy, Lipscomb, Maples, Mayfield, Mahan, Montgomery, O'Brien, Ott, Patton, Rabb, Rogers, Rowe, Seale, Turner, Williams of Bullock—29.

Nays :

Messrs. Speaker, Beasley, Bellinger, Boykin, Brown of Conecuh, Burks, Burns, Calhoun, Cole, Cook of Talladega, Dale, Davis, Deans, Ellis, Ewing, Fielding, Ford, Forman, Franklin, Fuller, Gains, Gibbons, Graham, Grant, Harris, Hearn, Hill, Jackson, Kelly, Killebrew, Langley, Mastin, Meador, Meadows, Mills, Mixon, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Routon, Savage, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Willett, Wood—55.

And the bill

Was read a third time at length.

Mr. O'Brien moved to reconsider the vote by which the bill was ordered to a third reading, and Mr. Willett moved to table Mr. O'Brien's motion.

The yeas and nays were ordered, and Mr. O'Brien's motion was tabled—yeas 54, nays 40.

Yeas :

Messrs. Speaker, Beasley, Bellinger, Boykin, Brooks, Brown of Conecuh, Burks, Burns, Calhoun, Camp, Dale, Davis, Deans, Ellis, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Gains, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jackson, Kelly, Killebrew, Langley, Mastin, Mixon, Moore, McCorvey, McQueen, Rand, Roach, Robbins, Robinson, Rowe, Savage, Screws, Smith of Autauga, Smith of Butler,

Smith of Mobile, Summers, Taylor, Tuck, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry—54.

Nays :

Messrs. Banks, Barron, Beeson, Brown of Russell, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Fulton, Gains, Gewin, John, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Mills, Moore, O'Brien, Patton, Prowell, Rabb, Reaves, Rogers, Seale, Smith of Greene, Turner—40.

The previous question being ordered, the bill was passed—yeas 66, nays 18.

Yeas :

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Burks, Burns, Calhoun, Camp, Cole, Cook of Talladega, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, Jackson, Kelly, Kennedy, Killebrew, Langley, Mastin, Mayfield, Meadows, Montgomery, McClusky, McCorvey, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Routon, Sanford, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Ward, Wheelless, Willett—66.

Nays :

Messrs. Banks, Barron, Brooks, Brown of Russell, Cameron, Cook of Talladega, Fulton, John, Lipscomb, Maples, Mahan, O'Brien, Patton, Rabb, Rogers, Seale, Turner, Williams of Bullock—18.

Mr. Willett moved to reconsider the vote by which the bill was passed, and to lay that motion on the table

The yeas and nays being ordered, Mr. Willett's motion was carried—yeas 64, nays 16.

Yeas :

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Burks, Burns, Calhoun, Camp, Coleman, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Gains, Gibbons, Graham, Grant, Harris, Hearn, Hill, Jackson, Kelly, Killebrew, Langley, Mastin, Meadows, Mills, Mixon, Moore, Mc-

Clusky, McCorvey, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Wheelless, Willett, Williams of Bullock, Wood—64.

Nays :

Messrs. Banks, Barren, Brown of Russell, Cameron, Cook of Talladega, Fulton, Gewin, Graves, John, Lipscomb, Mayfield, Mahan, O'Brien, Patton, Rabb, Seale, Turner—16.

Mr. Willett moved to reconsider the vote by which, H. 822. To amend an act to amend section 141 of the code of Alabama, approved December 12 1892,

Was lost on yesterday.

The yeas and nays being ordered, Mr. Willitt's motion was carried,

Yeas 44, nays 41;

Messrs. Speaker, Banks, Beeson, Brooks, Brown of Conecuh, Burks, Calhoun, Coleman, Dale, Davis, Deans, Fielding, Fletcher, Ford, Fulton, Gewin, Graham, Grant, John, Kelly, Kennedy, Lipscomb, Maples, Mahan, Montgomery, McCorvey, McQueen, O'Brien, Ott, Patton, Prowell, Rand, Roach Robinson, Rogers, Rowe, Seale, Smith of Mobile, Taylor, Tuck, Turner, Ward, Willitt, Williams of Henry—44.

Nays :

Messrs. Barron, Boykin, Brown of Russell, Burns, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Ellis, Ewing, Fleming, Forman, Franklin, Fuller, Gains, Gibbons, Graves, Harris, Hearn, Hill, Jackson, Jinks, Killebrew, Langley, Mastin, Mayfield, Meadows, Mills, Mixon, Moore, McClusky, Rabb, Reaves, Robbins, Rouson, Savage, Smith of Autauga, Smith of Butler, Wheelless, Williams of Bullock—41.

The previous question was ordered and the bill was passed,

Yeas 48, nays 39.

Yeas :

Messrs. Speaker, Banks, Beeson, Bellinger, Brooks, Brown of Conecuh, Burns, Calhoun, Cameron, Coleman, Dale, Davis, Deans, Fleming, Fletcher, Ford, Fulton, Gewin, Graham, Grant, John, Kelly, Kennedy, Maples, Mayfield, Mahan, Montgomery, McCorvey, McQueen;

O'Brien, Ott, Patton, Perry, Rand, Roach, Robinson, Rogers, Rowe, Sanford, Screws, Seale, Smith of Greene, Smith of Mobile, Summers, Taylor, Turner, Ward, Williams of Henry—48.

Nays:

Messrs. Barren, Boykin, Brown of Russell, Burns, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Ellis, Fleming, Forman, Franklin, Fuller, Gains, Graves, Harris, Hearn, Hill, Jackson, Jinks, Killebrew, Langley, Mastin, Mills, Mixon, Moore, Prowell, Rabb, Reaves, Robbins, Routon, Savage, Scarborough, Smith of Autauga, Smith of Butler, Wheelless, Williams of Bullock, Wood—39.

#### INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate committees, as follows :

By Mr. Smith of Autauga—

H. 1030. To authorize the intendant and councilmen of the town of Prattville to issue bonds,

Corporations;

By Mr. Graves—

H. 1031. To Establish aboard of revenue for Barbour county,

Education ;

By Mr. Smith of Butler—

H. 1032. To amend section 3 of an act entitled an act to amend the caption and sections one (1) and eight (8) of an act entitled an act to prevent horses, mules, asses, cows, hogs, sheep, and goats from running uncontrolled on crops in Beat No. five and in Beat No. eight, in Butler county, and to prescribe a rule of damages and rules of protection in the trial of cases under this act approved February 5th, 1891,

Local Legislation ;

By Mr. Ewing (by request)—

H. 1933. To regulate the practice and proceedings in civil and criminal cases in the circuit court of Cherokee county, in this state and in supreme court on appeal in said cases,

Judiciary;



By Mr. Beeson—

H. 1034. To require the county treasurer of DeKalb county, to pay James McLendon of Etowah county for services done as county commissoner,

Appropriations;

By Mr. Maples—

H. 1035. To create the fifteenth judicial circuit of the State of Alabama, to fix the time of holding court therein, to provide for appointment of a solicitor for said circuit and a judge for the ninth judicial circuit,

Judiciary;

By Mr. Fulton—

H. 1036. To amend section 1 of an act entitled an act to provide for the registration and lien of judgments and decrees for the payment of money, approved February 26th,1889,

Also,

H. 1037. To amend section 7 of an act approved February 23rd,1883, regulating fines and forfeitures in Jefferson and Montgomery counties,

Revision of laws;

By Mr. John—

H. 1038. To amend section 188 of the code,

Military;

Also,

H. 1039. To amend section 185 of the code,

Military;

Also,

H. 1040. To amend section 191 of the code,

Military;

Also,

H. 1041. To amend section 171 of the code,

Military;

Also,

H. 1042. To amend section 174 of the code,

Military;

Also,

H. 1043. To provide for the filling vacancies in the elective officers of the Alabama State Troops,

Military;

Also,

H. 1044. To authorize the formation of a brigade of the Alabama State Troops and to provide for the appointment of the officers thereof,

Military;

Also,

H. 1045. To authorize an officer elected to the same office in another organization to accept such office without losing his rank,

Military;

Also,

H. 1046. To amend section 184 of the code,

Military;

By Mr. Rogers—

H. 1047. For the relief of parties whose lands have been sold for taxes,

Ways and means ;

By Mr. McCorvey—

H. 1048. To authorize the several counties in this state to issue bonds for the purpose of building court houses, jails, and bridges, for repairing, improving or furnishing the same and for refunding any outstanding indebtedness of the several counties,

Corporations;

By Mr. Clark—

H. 1049. To incorporate the Wetumpka Falls Manufacturing Company,

Corporations;

By Mr. Sanford—

H. 1050. To establish a seal for the State of Alabama,

Judiciary;

Also,

H. 1051. To adopt a flag for the use of the State of Alabama,

Military;

By Mr. Mahan—

H. 1052. To amend sections 1418 and 1423 of the code of Alabama,

Public roads and highways ;

By Mr. Fleming—

H. 1053. To prohibit the sale, giving away of vinous, malt or spirituous liquors or other intoxicating bitters within three (3) miles of St. Johns Baptist Church, in Pike county, Alabama,

Temperance;

Also,

H. 1054. To require license of emigrant agents doing business in the state,

Ways and means ;

By Mr. Deans (by request)—

H. 1055. To amend subdivision 5 of section 26, of an act to establish a new charter for the city of Oalera, approved Feb. 21, 1893,

Temperance ;

By Mr. Mixon—

H. 1056. To authorize Mary King, widow of Henry King, to sell the lands belonging to said Henry King, at private sale,

Revision of laws ;

By Mr. Robinson—

H. 1057. To provide for additional clerical force in the office of the state superintendent of education,

Appropriations ;

By Mr. dark—

H. 1058. To establish a branch agricultural school at Hamilton, in Marion county, Alabama,

Agriculture ;

By Mr. Boykin—

H. 1059. To amend an act entitled an act to incorporate the Phoenix City Railway Company, define its rights, privileges, powers and franchises, approved December 19, 1894,

Corporations;

By Mr. John—

H. 1060. To authorize and empower the register in chancery for the sixteenth district of the northwestern division of Alabama, to exercise all powers now conferred upon him by law in term time as well as in vacation,

Judiciary;

Also,

H. 1061. To authorize the mayor and aldermen of Birmingham to provide the means necessary to maintain fire protection in the city of Birmingham, by special assessments on the value of property as enhanced by such protection,

Local legislation;

Also,

H. 1062. To regulate the sale of real estate for un-

paid municipal taxes and assessments in the city of Birmingham,

Local legislation;

Also,

H. 1063. To confer additional powers on the mayor and aldermen of Birmingham,

Local Legislation ;

Also,

H. 1064. To amend the charter of the city of Birmingham, so as to authorize the mayor and aldermen to impose a license tax on all policies of fire insurance taken out on property in said city for the purpose of maintaining a fire department in said city,

Revision of laws ;

Also,

H. 1065. To authorize the mayor and aldermen of Birmingham to issue bonds of said city to fund and retire the outstanding bonded indebtedness of said city,

Local legislation;

By Mr. Forman—

H. 1066. To establish an agricultural school and experiment station at Springville, in St. Clair county,

Education ;

By Mr. O'Brien—

H. 1067. To incorporate the board of lady managers of the Hospital of United Charities in Birmingham, Alabama,

Corporations;

By Mr. Gibbons—

H. 1068. To establish an agricultural school and experiment station at or near Afton, Alabam, to be located by the governor, superintendent of education and the commissioner of agiculture,

Agriculture,

By Mr. Ellis—

H. 1069. To better provide for the payment of certain claims therein named,

Local legislation.

#### BILLS ON SECOND READING.

The chairmen of the several committees, reported favorably on the following bills :

H. 116. To amend an act entitled an act to establish the city court of Bridgeport and to increase the jurisdiction thereof,

(With substitute) ;

H. 156. To require insurance companies to pay full face value of all policies issued by them when property on which policy was issued has been destroyed by fire, unless said property was fraudulently destroyed,

(With substitute) ;

H. 198. To allow appeals by one or more parties to a judgment or decree without joining therein all the parties to such judgment or decree, and to declare the effect thereof,

(With substitute) ;

H. 407. To amend section one of an act entitled an act to amend an act to establish the city court of Anniston, approved February 9, 1893 ;

H. 526. To amend and re-enact sections 396, (302), 397, (303), 398, (304), 399, (305), 400, (306), 401, (307), 402, (309), 403, (310), 404, (311), 405, (312), and 406, (313), of the code of Alabama ;

H. 587. To constitute the town of Oxford a separate school district, and to provide aboard of education therefor ;

H. 592. To establish a county school book board to select a uniform series of text books for use in the public schools of the several counties of the state,

(With substitute) ;

H. 597. For the relief of Cyrus Boykin, of Washington county;

H. 665. To authorize the introduction of certain testimony on trials for using abusive, obscene or insulting language in the presence of females ;

H. 670. To pay W. W. Waite, sheriff of Clarke county, for the removal of George W. White, charged with a felony, from LaFayette, in the state of Louisiana, to Grove Hill, in Clarke county, Alabama;

H. 681. For the relief of W. A. McLendon, sheriff of Henry county;

H. 687. For the relief of W. T. Cureton, late sheriff of Henry county;

H. 694. To execute section 23 of article XIV of the constitution, prohibiting the granting of free passes to

members of the general assembly and state ;

H. 644. To confirm the incorporation of the Phoenix Club, of Birmingham, Alabama, and to enlarge the powers and capacity of said club,

(With minority report) ;

H. 698. To require railroad companies or common carriers, carrying passengers to keep an office, ticket agent and waiting rooms in incorporated town and cities, of five hundred or more inhabitants,

(With substitute) ;

H. 702. To make the wife a competent witness, for or against her husband in all proceedings in any of the courts of this state, for abandoning his family under the vagrancy statute;

H. 715. To amend section 2933 of the code of Alabama ;

H. 728. For the relief of Margaret R. Randall, widow of Dudley C. Randle, M. D., deceased;

H. 730. To amend section 3751 of the code of Alabama;

H. 733. To relieve Wm. B. Westcott of the disabilities of non-age;

H. 734. To relieve Theodosia Montgomery, of the county of Montgomery, a married woman, under the age of eighteen years, of the disabilities of non-age;

H. 737. For the relief of the Troy Fertilizer Company;

H. 742. To divest title in certain lands lying in Calhoun county, Alabama, out of the state, and to vest title in same in Mary A. Nance ;

H. 751. To provide for the time of taking up the criminal dockets in the counties of Bullock and Dale ;

H. 762. To give physicians a lien upon the personal property of any person for the payment of medicine furnished and services rendered to such person, or his family, not to exceed the sum of ten dollars a year, and to provide for the enforcement of such lien;

H. 766. To authorize the construction of tram ways, pole roads, canals and ditches by corporations, associations, partnerships and individuals, and to float saw logs, timber rafts, &c., down any stream susceptible of floating the same, in the counties of Geneva and Coffee,

(With amendment) ;

H. 768. To repeal an act entitled an act to prohibit the driving of logs, timber or lumber, in that part of the Choctawhatchie River, in this state, below the town of Newton, in Dale county, approved February 6th, 1889 ;

H. 774. To make incurable insanity a ground for divorce;

H. 780. To regulate the time of taking up the docket of criminal cases for final trial in the circuit courts;

H. 785. To amend section 2905, (3196) of the code of Alabama, of 1886;

H. 795. To authorize and empower the commissioners court of Shelby county to appropriate money from the general fund to pay off registered claims against the line and forfeiture fund of said county;

H. 790. To relieve Louise A. Westcott of Montgomery county, of the disabilities of non-age;

H. 805. To define and punish blackmailing ;

H. 808. To make the anniversary of the birthday of Jefferson Davis a legal holiday ;

H. 811. To authorize and empower clerks of the circuit courts and registers in chancery to issue writs of mandamus, certiorari, supersedeas, quo warranto and all other writs remedial;

H. 817. To amend section 2972 of the code of Alabama, so as to provide a more effective remedy against the subscribers of the capital stock of a corporation who have not paid their subscriptions ;

H. 820. To provide for the holding of the circuit courts in the second judicial circuit;

H. 825. To amend an act to establish the city court of Gadsden, approved December 17th, 1894, by amending section three of said amending act;

H. 828. To prevent the double prosecution and punishment in the courts of this state of persons who have been previously tried for misdemeanors before the mayor-recorder or acting recorder of incorporated towns or cities in this state, and to prescribe the duty of such mayor, recorder, or acting recorder, in cases where persons are brought before them on a charge which is made a felony under the laws of this state;

H. 849. To relieve M. D. Still, of Elmore county, Alabama, of the disabilities of non-age;

H. 874. To amend section 2083 of the code of 1886 ;

H. 889. To require railroads to be fenced or to pay for all live stock killed on the track thereof where not fenced;

H. 891. To regulate the practice in the courts of law in this state;

H. 915. To refund to J. H. Williams, of Elmore county, the sum of eighty dollars, with interest, being purchase money for certain land heretofore erroneously sold him by the state;

H. 916. To relieve Annie B. Batchelor, Barah Batchelor and William T. Batchelor, minor children of William T. Batchelor, Jr., of Elmore county, from the disabilities of non-age,

With amendment;

H. 924. To amend section 3612 (3918) of the code of Alabama;

H. 938. To repeal an act entitled an act to provide for the election of a superintendent of education for the county of Tuscaloosa and to define his duties, approved February 10th, 1887 ;

H. 930. To amend section 32 of the code ;

H. 940. To re-enact sections 4197 to 4232 inclusive for Bullock county;

H. 941. To incorporate the Olivet Club,

With minority report;

H. 943. Regulating the business of pawnbrokers in cities of the State of Alabama ;

H. 946. To amend section ten (10) of an act entitled an act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters or patent medicines having alcohol as abase in Calhoun county, approved December 7, 1886;

H. 947. To authorize and empower the mayor and aldermen of the city of Tuscaloosa to issue and sell the bonds of said city in an amount not exceeding twenty thousand dollars, the proceeds thereof to be used for the purpose of paying off and satisfying the interest or interest coupons now due or to become due on the present outstanding bonds of said city; and for the purpose of paying the outstanding floating debt of said city;

H. 953. For the protection of creditors ;

H. 954. To fix the time of holding circuit courts at



Clayton and Eufaula, in Barbour county, in the third judicial circuit;

H. 964. To amend section 2 of an act which was approved December 11th, 1886, entitled an act to amend section 2 of an act approved December 30th, 1868, entitled an act to amend the caption and first, and the third sections of the act entitled an act to incorporate the Pioneer Petroleum Company, approved February 8th, 1866;

H. 967. To repeal an act to repeal an act to be entitled an act to incorporate the town of Aico, in the county of Escambia and state of Alabama, approved February 13th, 1889;

H. 971. For the relief of H. L. Martin, register in chancery for Macon county, Alabama;

H. 974. To amend section 3258 of the code of Alabama;

H. 985. To repeal section 705 of the code of Alabama ;

H. 988. To refund to persons the purchase money paid for lands erroneously sold by the state;

H. 1009. To establish the thirteenth judicial circuit of the State of Alabama, to fix the time of holding courts therein and to provide for the appointment of a judge and the election of a solicitor for said circuit;

H. 1001. To amend section 6 of an act entitled "An act to provide for the making and maintaining the public roads and bridges in Jefferson county, Alabama, approved December 17, 1894;

H. 658. To prevent all persons from hunting upon the inclosed lands of -the residents of Wilcox county except by written permission of the occupant of the enclosed premises;

H. 770. To prevent the running at large of stock in certain portions of Greene county ;

H. 897. To regulate the keeping of dogs in the counties of Barbour and Russell;

H. 680. To prevent hunting or fishing, entering upon or trespassing upon certain lands on the Black Warrior in Greene county, in townships twenty-one and twenty-two and ranges two and three, east, after the owner or person in possession thereof shall have forbidden the

same by notice posted on the lands or by publication in a newspaper published in said county ;

H. 725. To amend sections two (2), fifteen (15), and sixteen (16), of an act entitled an act to regulate Mobile Harbor, approved February 18, 1889 ;

H. 1029. To fix the time when the officers of Phoenix City, Alabama, elected hereafter shall qualify and enter upon the duties of the office ;

s. 117. For the relief of the several sheriffs of the State of Alabama, who collected fees from the state for releasing prisoners under the provisions of an act entitled an act to provide for the payment of costs on convictions of felony where the defendant is sentenced to imprisonment in the penitentiary, approved February 25, 1889 ;

s. 244. To appropriate the amount of the per diem for the term for which the late Hon. P. S. Holt was elected to serve as a member of the house of representatives from Macon county, in this general assembly which accrued prior to the date of the special election to fill the vacancy caused by his death to the widow of said representative ;

s. 241. To provide for repairing the macadamized roads in Colbert county ;

s. 199. To amend sections six, eleven, fifteen, twenty-one, twenty-five, thirty-four, forty and fifty-one of an act entitled an act to amend an act entitled an act to incorporate the port of Mobile and to provide for the government thereof, approved December 10, 1886,

With amendment.

The above and foregoing bills, were severally read a second time, and placed on the calendar.

H. 986 was returned and referred to the committee on revision of laws.

The petition from the citizens of Dothan in regard to whiskey traffic was referred to committee on temperance.

#### SPECIAL ORDERS.

H. 1009 was made a special order for to-morrow morning immediately after reading of the journal.

Mr. Cook moved that house bill 796 be returned to the house without recommendation from the judiciary committee and placed on calendar, which motion carried.

Mr. Sanford moved that house bill 320 be returned to the house without recommendation from judiciary committee and placed on the calendar.

Pending which motion the house recessed.

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AFTERNOON SESSION.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the house joint resolution requesting the president of the senate and the speaker of the house to erase their signatures to the house bills Nos. 56, 71, 243 for the purpose of amendment.

The senate insists on its amendment to the house bill, H. 103. To amend an act entitled an act to incorporate the Alabama Baptist Colored and Theological School and all amendments thereto ;

And accedes to the request of the house for a committee of conference on the disagreement of the two houses thereon.

Committee on part of the senate, Messrs. Culver, Porter, Nolen;

And has amended, as therein shown, and, as amended, has passed the house bill,

H . 363. To allow a county surveyor of any county in this state to act as county surveyor of an adjacent county under certain conditions ;

And has passed the house bills,

H. 580. To incorporate the Mutual Fire Insurance Association of Montgomery and to define its rights, powers and franchises;

H. 490. To incorporate the Lauderdale County Fair Association.

The senate has originated and passed the following bills:

s. 250. To amend section ten of an act entitled an act to constitute the city of Anniston a separate school district and to provide a board of education therefor, approved January 28, 1891;

s.270. To create a separate school district in Dale-

and Coffee counties in Alabama, to be known as Hatcher's School District, and to define the boundaries thereof;

s. 284. To amend an act entitled an act to amend section one (1) of an act entitled an act to amend an act entitled an act to incorporate the port of Mobile, and provide for the government thereof, approved February 11th, 1879, approved December 10th, 1886, approved February 4, 1893;

s. 298. To incorporate the Madison High School in Madison county, Alabama;

s. 291. To regulate the amount of fees to be received by witnesses attending court in criminal cases, or before the grand jury, or any other criminal proceedings, so far as the same relates to the county of Tuscaloosa;

s. 288. To authorize the mayor and council of the town of Marion to erect and maintain water works in said town to issue bonds for the purpose of erecting and maintaining said water works to all intent, not to exceed thirty thousand dollars, and to make provision by deed of trust, and the creating of a sinking fund for the payment of said bonds.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once, and referred to the committees, as follows :

To education, s. 250, 270, 298 ;

To revision of laws, s. 284, 291;

To special committee consisting of delegation from Perry, Dallas and Marengo counties, s. 288.

The house concurred in the senate amendment to

H. 363. To allow a county surveyor of any county in this state to act as county surveyor of an adjacent county under certain conditions.

Yeas 60, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Bo kin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Camp, Cole, Cook of Talladega,

Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Gibbons, Grant, Graves, Harris, John; Kelly, Kennedy, Lipscomb, Maples, Mastin, May field, Meadows, Mills, Moore, McCorvey, McQueen, O'Brien, Ott, Patton, Prowell, Rabb, Roach, Rogers, Rowe, Savage, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner. Ward, Wheelless—60.

#### BILLS ON THIRD READING.

H. 789. To amend section 1206 of the code of Alabama,

Was amended, read a third time, at length, and passed—yeas 56, nays 0.

Yeas :

Messrs. Speaker, Barren, Beasley, Beeson, Boykin, Brooks, Brown of Russell, Burks, Burns, Camp, Cole, Cook of Wilcox, Dale, Davis, Deans, Ellis, Fielding, Fletcher, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, Jackson, John, Kelly, Meador, Meadows, Moore, McClusky, McCorvey, O'Brien, Ott, Patton, Prowell, Rabb, Reaves, Robbins, Robinson, Rogers, Rowe, Sanford, Scarborough, Screws, Smith of Autauga, Taylor, Tuck, Wheelless, Williams of Bullock, Williams of Henry—56.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

##### HOUSE OF REPRESENTATIVES.

Mr. Speaker:

The committee on enrolled bills report the following bills correctly enrolled :

H. 232. To incorporate the Huntsville District High School of the Methodist Episcopal Church, South, in the town of New Market, Madison county, Alabama;

H. 452 To prohibit the sale or giving away or otherwise disposing of vinous, spirituous, or malt liquors, or intoxicating bitters, or beverages within beat number two (commonly known as Crawford beat) in Russell county;

H. 490. To incorporate the Lauderdale County Fair Association;

H. 580. To incorporate the Mutual Fire Insurance Association of Montgomery and to define its rights, powers and franchises.

J. H. MONTGOMERY,  
Chairman.

#### SIGNING BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, whose titles are set out in the foregoing report of committee on enrolled bills.

#### BILLS ON THIRD READING.

H. 769. To provide for the more efficient working of the public roads in Greene county, and for the appointment of district road commissioners for Greene county,

Was read a third time at length and passed—yeas 54, nays 1.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Camp, Cole, Cook of Wilcox, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Harris, Jackson, Kennedy, Langley, Lipscomb, Maples, Meadows, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, Ott, Rand, Reaves, Roach, Robbins, Rogers, Scarborough, Smith of Autauga, Smith of Greene, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry—54.

Nays :

Mr. Mahan—1.

H. 763. To incorporate North Alabama College at Fort Payne, DeKalb county, Alabama,

Was read a third time at length and passed—yeas 59, nays 0.

Yeas :

Messrs. Banks, Barron, Beasley, Beeson, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis,

Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Grant, Harris, Hearn, Jackson, Kennedy, Kyle, Langley, Lipscomb, Maples, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, Ott, Reaves, Roach, Robbins, Rogers, Scarborough, Smith of Autauga, Smith of Greene, Tuck, Turner, Wheelless, Williams of Bullock, Williams of Henry, Wood—59.

H. 629. To repeal an act entitled an act to provide for the compensation of the county poor house in Limestone county, Alabama, approved February 23d, 1893 ;

Was read a third time at length and passed—yeas 53, nays 0.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Ellis, Ewing, Fielding, Fleming, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hill, Jackson, Kennedy, Killebrew, Kyle, Langley, Maples, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McCorvey, Ott, Roach, Robbins, Rogers, Scarborough, Smith of Greene, Tuck, Turner, Wheelless, Williams of Bullock, Williams of Henry—53.

H. 830. To authorize the commissioners courts of Cherokee, Etowah and DeKalb counties to levy a tax for working the public roads of said counties, and to let out said roads by contract,

Was read a third time at length and passed—yeas 68, nays 0.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Ford, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Hill, Jackson, Jinks, John, Kelly, Kennedy, Langley, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Montgomery, Moore, McCorvey, O'Brien, Patton, Prowell, Rand, Roach, Robinson, Rogers, Routon, Savage, Scarborough, Smith of, Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Willett, Williams of Bullock, Williams of Henry, Wood—68.

H. 691. To provide for making a jury roll for and to regulate the drawing of grand and petit juries of Jefferson county, Alabama,

Was read a third time, at length, and passed—yeas 63, nays 0.

Yeas:

Messrs. Barren, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burns, Cameron, Cole, Coleman, Cook of Wilcox, Davis, Deans, Ewing, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Graham, Grant, Graves, Harris, Hearn, Hill, John, Kelly, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mills, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Rand, Reaves, Roach, Robbins, Rogers, Rowe, Routon, Scarborough, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Willett, Williams of Henry, Wood—63.

H. 456. To prevent stock from running at large in beats 4 and 8 in Elmore county, east of the Coosa river, and west of the Tallapoosa river,

Was read a third time, at length, and passed—yeas 66, nays 0.

Yeas:

Messrs. Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Hearn, Jackson, John, Kelly, Kennedy, Lipscomb, Maples, Mastin, Meador, Meadows, Mills, Mixon, Montgomery, Ott, Patton, Prowell, Rabb, Reaves, Roach, Robinson, Rowe, Routon, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Ward, Wheelless, Williams of Henry, Wood—66.

H. 704. To prevent in certain cases the sale exchange and transportation of cotton in the seed in the county of Lee, and of cotton in the seed produced in said county ;

Was read a third time, at length, and passed—yeas 68, nays 0.

Yeas:

Messrs. Barren, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp,



Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans. Ellis, Ewing, Fielding, Fleming, Fletcher, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Jackson, Kelly, Kennedy, Killebrew, Kyle, Lipscomb, Maples, Mayfield, Meador, Meadows, Mills, Mixon, Montgomery, McClusky, McCorvey, Patton, Prowell, Rabb, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Savage, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Whitten, Williams of Henry, Wood—68.

H. 917. To create the town of Greensboro, Alabama, a separate school district, to incorporate the same and define its powers and duties, and to provide for the maintenance and management of the public schools of said district,

Was read a third time, at length, and passed—yeas 53, nays 0.

Yeas :

Messrs. Speaker, Barren, Beeson, Boykin, Brooks, Brown of Russell, Burns, Cameron, Camp, Cole, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Forman, Fuller, Fulton, Gewin, Gibbons, Grant, Graves, Harris, Jackson, Kelly, Kennedy, Killebrew, Kyle, Lipscomb, Maples, Meadows, Mills, Mixon, Montgomery, McClusky, McCorvey, McQueen, Roach, Robbins, Robinson, Rogers, Rowe, Savage, Smith of Autauga, Smith of Butler, Summers, Tuck, Ward, Williams of Henry, Wood—53.

H. 577. To establish a separate school district, to be known as the Anton school district in Winston county,

Was read a third time, at length, and passed—yeas 63, nays 0.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ewing, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Graves, Harris, Hearn, Jackson, John, Kelly, Kennedy, Killebrew, Langley, Lipscomb, Meadows, Mills, Mixon, Montgomery, McCorvey, Ott, Perry, Prowell, Rabb, Reaves, Roach,

Robbins, Robinson, Rogers, Rowe, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—63.

H. 387. For the preservation of birds in the county of Barbour,

Was read a third time, at length, and passed—yeas 55, nays 0.

Yeas :

Messrs. Banks, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Camp, Coleman, Cook of Wilcox, Curds, Dale, Davis, Ellis, Ewing, Fleming, Fletcher, Ford, Fuller, Gains, Gewin, Gibbons, Graham, Graves, Harris, Jackson, Kelly, Kennedy, Killebrew, Langley, Lipscomb, Maples, Martin, Meadows, McCorvey, O'Brien, Ott, Patton, Prowell, Rabb, Reaves, Roach, Robinson, Rogers, Routon, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—55.

H. 726. To amend sections one, two and twelve of an act to establish and provide for the maintenance of a quarantine by improved methods, against the introduction of yellow fever and other infectious and contagious diseases in the state of Alabama, approved February 16, 1891,

Was read a third time, at length, and passed—yeas 60, nays 6.

Yeas :

Messrs. Barren, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Ewing, Fielding, Fleming, Forman, Franklin, Fulton, Gains, Gibbons, Graham, Grant, Harris, Hearn, Hill, Jackson, John, Kelly, Kennedy, Killebrew, Langley, Lipscomb, Maples, Meador, Meadows, Mills, Mixon, Montgomery, Ott, Perry, Prowell, Reaves, Roach, Robbins, Rogers, Scarborough, Smith of Autauga, Smith of Greene, Summers, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry—60.

Nays :

Messrs. Davis, Fuller, Graves, Moore, Robinson, Smith of Mobile—6.

H. 338. To repeal an act entitled an act in relation to trials of misdemeanors in Tuscaloosa and other counties therein named, approved March 19, 1875, so far as the same applies to Clarke county, and to provide for the disposition of certain cases now pending in the county court of Clarke county,

Was read a third time, at length, and passed—yeas 65, nays 0.

Yeas :

Messrs. Speaker, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Camp, Cole, Cook of Wilcox, Dale, Davis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Grant, Graves, Harris, Hearn, Hill, Jackson, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Meador, Meadows, Mills, Mison, Montgomery, Moore, McCorvey, O'Brien, Ott, Patton, Rand, Reaves, Roach, Robinson, Rogers, Rowe, Savage, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—65.

s. 143. To authorize the mayor and councilmen of the town of Evergreen to issue bonds of said town for an amount not exceeding twelve thousand dollars, for the purpose of putting in a system of water works and making other improvements in said town.

Mr. Brown of Conecuh offered a substitute.

Which was adopted and the bill was read a third time at length and passed—yeas 53, nays 0.

Yeas :

Messrs. Barren, Beasley, Bellinger, Brown of Conecuh, Brown of Russell, Burns, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Franklin, Fulton, Gibbons, Grant, Hill, Jackson, John, Kelly, Killebrew, Kyle, Langley, Mastin, Meadows, Mahan, Mixon, Montgomery, Moore, O'Brien, Patton, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Scarborough, Screws, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Ward, Williams of Bullock, Wood—53.

S. 71. To establish the county, or beat of residence of persons, when their residence is partly in two or more counties, or beats,

Was read a third time at length, and passed—yeas 61, nays 0.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Brooks, Brown, of Conecuh, Brown of Russell, Burns, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Gewin, Gibbons, Harris, Hearn, Hill, Jackson, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mastin, Meador, Meadows, Mills, Montgomery, Moore, O'Brien, Ott, Perry, Rabb, Rand, Reaves, Roach, Robbins, Rogers, Smith of Autauga, Smith of Greene, Tuck, Ward, Williams of Bullock, Williams of Henry, Wood, —61.

H. 713. To amend section one of an act entitled an act, to amend section 2 of an act entitled an act to amend sections 1 and 12 of an act entitled an act to regulate the taking of oysters from the public reefs in this state, for sale or planting, approved December 10th, 1892, and to repeal an act to regulate the planting and taking of oysters in the waters of this state, approved February 18th, 1891, which act hereby amended was approved December 14th, 1894, and to repeal sections 10 and 13 of an act entitled an act to regulate the taking of oysters from the public reefs in this state for sale or planting, approved December 10th, 1892;

Mr. Smith of Mobile, offered an amendment which was adopted and the bill as amended was read a third time at length and passed—yeas 79, nays 0.

Yeas:

Messrs. Speaker, Barren Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Grains, Gewin, Gibbons, Graham, Grant, Graves, Hill, Jackson, Jinks, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Manning, Maples, Mayfield, Meador, Mahan, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Patton, Perry, Prowell, Rabb, Rand, Roach, Robinson, Rogers, Rowe, Sanford, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile,

Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Willett, Williams of Bullock, Williams of Henry—79.

And the house adjourned till 10 o'clock to-morrow morning.

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THIRTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,  
January 30, 1895.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Elliott of this city.

REVISION OF JOURNAL.

The committee on the revision of the journal reported the journal of yesterday correct.

LEAVE OF ABSENCE.

Was granted to Messrs. Summers and Graham, for one day ; to Mr. Ward for to-day and to-morrow, and to Mr. Whitten for the remainder of the week.

BILLS ON THIRD READING.

H. 725. To amend sections two (2), fifteen (15) and sixteen (16) of an act entitled an act to regulate Mobile harbor, approved February 29th 1889,

Was read a third time at length and passed—yeas 65, nays 0.

Yeas :

Messrs. Speaker, Banks, Barron, Beasley, Beeson, Bellinger, Brooks, Brown of Russell, Burns, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Dean, Ewing, Fleiming, Fletcher, Forman, Franklin, Fuller, Gewin, Gibbons, Grant, Harris, Jackson, Jinks, John, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mastin, Meador, Meadows, Mahan, Moore, McClusky, McCorvey, McQueen, O'Brien, Rand, Reaves, Roach, Robinson, Rogers, Rowe, Savage, Scarborough,

Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Turner, Ward, Whitten, Williams of Bullock, Williams of Henry, Wood—65.

H. 1009. To establish the 13th Judicial Circuit of the State of Alabama, to fix the time of holding courts therein, and to provide for the appointment of a judge and the election of a solicitor for said circuit,

Was read a third time, at length, and passed—yeas 58, nays 28.

Yeas :

Messrs. Banks, Barron, Beeson, Boykin, Brooks, Brown of Russell, Burns, Camp, Cook of Talladega, Cook of Wilcox, Davis, Deans, Fielding, Fleming, Fletcher, Fulton, Grains, Gewin, Jinks, John, Kelly, Kennedy, Kyle, Lipscomb, Maples, May field, Mahan, Meador, Mills, Mixon, Montgomery, Moore, McClusky, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robinson, Rogers, Rowe, Routon, Savage, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Willett, Williams of Bullock, Williams of Henry, Wood—58.

Nays :

Messrs. Speaker, Beasley, Bellinger, Burks, Calhoun, Cameron, Cole, Curtis, Dale, Ellis, Ewing, Forman, Franklin, Fuller, Gibbons, Grant, Graves, Harris, Hearn, Hill, Killebrew, Langley, Mastin, Meadows, McCorvey, Heaves, Robbins, Wheelless—28.

Mr. Brooks moved to reconsider the vote by which the bill passed, and to lay that motion on the table.

Carried.

And the bill was ordered forthwith to the senate without engrossment.

H. 949. To provide for repairing and furnishing the capitol and improving the capitol grounds,

Was read a third time, at length, and passed—yeas 49, nays 8.

Yeas :

Messrs. Speaker, Beasley, Beeson, Boykin, Brooks, Brown of Russell, Calhoun, Camp, Curtis, Dale, Davis, Ewing, Fielding, Fleming, Fletcher, Ford, Gewin, Gibbons, Graham, Grant, Graves, Hill, Jinks, John, Kelly, Killebrew, Kyle, Lipscomb, Maples, Mills, Mixon, Mont-

gomery, McCorvey, McQueen, O'Brien, Band, Roach, Robbing, Robinson, Rogers, Rowe, Routon, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Williams of Bullock, Williams of Henry, Wood—49.

Nays :

Messrs. Cole, Forman, Franklin, Fuller, Gains, Hearn, Jackson, Wheelless—8.

H. 751. To provide for the time of taking up the criminal docket in the counties of Bullock and Dale,

Was read a third time, at length, and passed—yeas 69, nays 0.

Yeas:

Messrs Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fleming, Fletcher, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Harris, Hearn, Hill, Jackson Jinks, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Mastin, Mayfield, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McCorvey, McQueen, Ott, Patton, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Savage, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Wheelless, Willett, Williams of Bullock, Williams of Henry, Wood—69.

#### RESOLUTIONS.

The rules were suspended, and the following resolutions were adopted :

Resolved by the house, the senate concurring, That house bill No. 502 (five hundred and two) be recalled from the governor for amendment.

Resolved 2d, That the president, of the senate and speaker of the house erase their signatures from said bill.

Resolved by the house, the senate concurring, That H. 250 be recalled from the governor for the purpose of amendment.

Be it resolved by the house of representatives, the senate concurring, That the governor be requested to return H. B. 322 to the house for the purpose of amendment.

Resolved, That the house of representatives, the senate

concurring, call from the governor house bills No. 478- and 518 for the purpose of amendment.

MESSAGE FROM THE SENATE.

Mr. Speaker :

The senate has originated and passed the following bills:

s. 212. To repeal section twelve of an act entitled an act to create and establish an industrial school in the state of Alabama for white girls ;

And has concurred in the house joint resolutions, as follows :

Recalling the house bill No. 250 from the governor for amendment;

Recalling the house bills No. 478 and 518 from the governor for amendment;

Recalling the house bill No. 322 from the governor for amendment;

Recalling the house bill No. 502 from the governor for amendment, and requesting the president of the senate and the speaker of the house to erase their signatures from the said bill;

And has amended as therein shown and, as amended, has passed the following house bills :

H. 505. To prohibit the sale or otherwise disposing of any alcoholic, vinous or malt liquors, or other intoxicating drinks or beverages within three miles of Zion's Hill Missionary Baptist church, in beat 17 Tallapoosa county ;

H. 579. To ratify and confirm the charter, of the Montgomery Street Railway a corporation chartered under the general laws of this state, and to confer additional powers on said Montgomery Street Railway;

And has passed the house bills :

H. 47. To provide for the payment of claims against the fine and forfeiture fund of Tuscaloosa county ;

H. 312. To abolish the county court of Marion county;

H. 551. To amend an act entitled an act to regulate the issuance of license to sell, vinous, spiritous or malt liquors in Morgan county and approved February 3d, 1883;



And has originated and passed the following bills :

s. 319. For the protection and preservation of partridges, wild turkeys and deer and to prevent camp hunting in Colbert county;

s. 315. To amend section 3 of an act, entitled an act to create the eleventh judicial circuit of the state of Alabama, to fix the time of holding circuit court therein, and to provide for the appointment of a judge for the said circuit and the election of a solicitor for said circuit, approved December 7th, 1894;

s. 316. To amend an act to incorporate the Louise-Short Baptist Widows and Orphans Home, No. 310, approved February 14, 1891;

s. 242. To change the boundary lines of the counties of Colbert, Franklin and Lawrence;

s. 269. To incorporate the town of "Spio," in Henry and Barbour counties in the State of Alabama, and provide a government for the same ;

s. 312. To prevent hogs, sheep and goats from running at large in certain parts of Limestone county, and to repeal an act approved Feb. 21, 1893, entitled an act to authorize and direct the commissioners court of Limestone county to establish districts in said county in which hogs, sheep and goats may be prevented from running at large;

s. 267. To detach Lowndes county from the 4th and attach it to the 2nd judicial circuit, and to detach the county of Bibb from the 5th and attach it to the 4th judicial circuit, and to detach Covington county from the 2nd and attach it to the 12th judicial circuit, and to fix the time for holding the circuit courts in said counties ;

s. 248. To amend section one of an act entitled an act to regulate the practice and procedure in the circuit court in Talladega county in this state, approved December 13, 1894;

s. 218. For the protection of fish in the waters of Dog river;

And has concurred in the house amendment, to the senate bill

s. 148. To authorize the mayor and councilmen of the town of Evergreen, to issue bonds of said town for an amount not exceeding twelve thousand dollars for the

purpose of putting in a system of water-works and making other permanent improvements in said town ;

And has passed the house bill

H. 674. To provide the ways and means to establish, open, improve, work and keep in good condition the public roads in Dallas county, Alabama;

And in accordance with a joint resolution heretofore concurred in, the president of the senate has erased his signature from the house bills H. 56, 71, 243, 41, and the same are herewith transmitted to the house to enable you to so erase your signature therefrom.

The senate non-concurs in the house amendment to the senate bill

s. 57. To declare a rule of evidence upon the trial of persons indicted for violating the provisions of laws prohibiting the sale of vinous, spirituous, or malt liquors or alcoholic bitters, cordials, or of beverages in any county or beat; and to make the fact that the defendant has obtained a license from the Internal Revenue Department of the United States prima facie evidence of the defendant's guilt,

And requests a committee of conference thereon.

Committee on the part of the senate : Messrs. Robinson, Samford and Sayre.

And the senate has adopted the joint resolution herewith sent in regard to the exchange of certain bonds mentioned in the message of the governor to the general assembly of date November 17th, 1894, and referring the same to the Governor, Attorney General and the Secretary of State, giving them power to act in the premises.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees, as follows :

To education, s. 212 ;

To counties and county boundaries, s. 319, s. 242;

To judiciary, s. 315, s. 267, s. 248;

To corporations, s. 316, s. 269 ;

To local legislation, s. 312, s. 218.

## ERASURE OF SIGNATURE.

In accordance with the joint resolution heretofore adopted, the speaker of the house erased his signature from the house bills 56, 71, 243 and 41.

The house insisted on its amendment to the senate bill 57, and acceded to the request for a committee of conference thereon:

On the part of the house, Messrs. Willett, Kelly and Boykin ;

And the house concurred in the senate amendments to H. 505. To prohibit the sale or otherwise disposing of any alcoholic, vinous or malt liquors or other intoxicating drinks or beverages within three miles of Zion's Hill Missionary Baptist church, in beat 17, Tallapoosa county;

Yeas 61, nays 0.

Yeas:

Messrs. Speaker, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Curtis, Dale, Deans, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gibbons, Graham, Grant, Hill, Kennedy, Killebrew, Kyle, Lipscomb, Maples, Meador, Meadows, Mahan, Mills, Mixon, Moore, McQueen, Ott, Patton, Prowell, Rand, Robbins, Robinson, Rogers, Rowe, Savage, Smith of Buttler, Smith of Greene, Summers, Tuck, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry, Wood—61.

Also to

H. 579. To ratify and confirm the charter of the Montgomery Street Railway, a corporation chartered under the general laws of this state, and to confer additional powers on said Montgomery Street Railway;

Yeas 59, nays 0.

Yeas :

Messrs. Speaker, Banks, Beasley, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Cole, Coleman, Curtis, Dale, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gibbons, Graham, Grant, Harris, Hearn, Hill, Jackson, Jinks, Kelly, Killebrew, Kyle, Langley, Maples, Martin, Mayfield, Meador, Meadows, Mahan, Montgomery,

Moore, McClusky, McCorvey, McQueen, Ott, Patton, Rand, Roach, Robbins, Robinson, Rogers, Smith of Butler, Tuck, Ward, Wheelless, Willett, Williams of Henry, Wood—59.

And the house concurred in the senate joint resolution relative to the exchange of certain bonds therein described, referred to in the above message.

#### MESSAGES FROM THE GOVERNOR.

Mr Speaker:

I have the honor to inform you that the following bills which originated in the house have been approved : Nos. 404, 383, 467, 183, 107, 98, 351, 506, 138, 580, 452,490, 232.

Very respectfully,  
HARVEY E. JONES,  
Private Secretary.

To the House of Representatives:

The report from the judiciary committee on the special message of Governor Thomas G. Jones with reference to the claim of Mr. Stallworth for a reward is herewith returned. I respectfully submit that it is not in accord with his recommendation. The resolution of said committee adopted by the house simply recommends that four hundred dollars be paid to Mr. Stallworth in full satisfaction of his claim. The recommendation of Governor Jones was for "a reasonable compensation to Mr. Stallworth and of legislation accordingly." I submit that the general assembly should pass a bill making an appropriation for whatever sum is regarded as a just compensation to Mr. Stallworth. The appropriation of twenty-five hundred dollars for rewards which the governor may offer and pay for the apprehension of absconding felons is very limited, in fact, is too small for the purposes intended to be accomplished. Under a mere recommendation I do not feel authorized to pay the four hundred dollars out of that fund inasmuch as the services rendered were not in accordance with the terms of the reward offered. Legislation is required. I therefore recommend that a bill be passed appropriating, whatever sum the general assembly thinks should be paid to Mr. Stallworth independent of the regular appropriation .

WM . C. OATES ,  
Governor.

## GOVERNOR'S MESSAGE.

The message of the governor was referred to the committee on appropriations.

## INTRODUCTION OF BILLS.

On a call of the counties bills were introduced, severally read one time and referred to appropriate committees as follows :

By Mr. Bellinger—

H. 1070. To regulate the collection of debts in the state of Alabama,

Judiciary;

By Mr. Smith of Butler—

H. 1071. To amend section three (3) of an act entitled an act to prevent horses, mules, asses, cows, hogs, sheep, or goats from running uncontrolled on crops in beat No. 5, beat No. 10, and in all that part of beat No. 7 described as follows, and included within the following boundary line, to-wit: Beginning at the boundary line between Butler and Lowndes counties near the residence of Mrs. Anna Bush, and running south and taking the farms of Mrs. Anna Bush and James Barganier ; thence running east taking in the farms of John Cheatham, Daniel Talley, J. T. Sanders, Henry Harrison, W. H. Zeigler, and William Glover, and intersecting the stock law lines of beat No. 5 near William Glover's, the said described territory being all of said beat No. 7 north of said described line in the county of Butler, and to prescribe a rule of damages and rules of protection in the trial of cases under this act, and to provide for fencing around said beats No. 5, 10 and fractional part of beat No. 7 in said county of Butler, approved February 5th, 1891,

Local legislation ;

By Mr. Rand—

H. 1072. To amend section six of an act entitled an act to incorporate the town of Leighton in Colbert and Lawrence counties,

Corporations;

Also,

H. 1073. To prohibit the sale, giving away or other-

wise disposing of spirituous, vinous or malt liquors, intoxicating bitters or cordials within three miles of Hill's Chapel in Camp Smith beat in Colbert county, Alabama,

Temperance ;

By Mr. Burns—

H. 1074. To amend section 3712 of the code of Alabama,

Judiciary;

By Mr. Franklin—

H. 1075. To authorize the mayor and city council of Fort Payne to exempt from municipal taxation money and property invested in manufacturing,

Corporations ;

By Mr. Mills—

H. 1076. To prevent sacrifice of property at judicial-sales,

Revision of laws;

Also,

H. 1077. To repeal an act entitled an act to provide for the holding of elections in the several beats of Geneva county, to determine whether alcoholic, vinous or malt liquors shall be sold in such beats, so far as it relates to the town of Geneva,

Privileges and elections ;

By Mr. Williams of Henry (by request)—

H. 1078. To incorporate the South Alabama & Gulf Railroad Company,

Corporations ;

By Mr. Burks—

H. 1079. To establish an agricultural school and experiment station at Blountsville, Alabama, Cullman, Alabama, or Haleyville, Alabama, to be located by the governor, superintendent of education and commissioner of agriculture,

Agriculture ;

By Mr. Lipscomb—

H. 1080. To confer chancery jurisdiction on the Bessemer Division of the circuit court of Jefferson county, holden at Bessemer, Alabama,

Revision of laws;

By Mr. Wood—

H. 1081. To amend section 4031 of the code of Alabama,

Revision of laws ;

By Mr. Coleman—

H. 1082. To amend section two (2) of an act entitled an act to establish a charter for the town of Albertville, in Marshall county, Alabama, approved February 18, 1891,

Corporations;

By Mr. Smith of Mobile—

H. 1083. To amend sections 17 and 18 of the regulations of the harbor of Mobile, published and promulgated pursuant to the act to provide for the publication and distribution of the code of Alabama, approved February 21, 1887,

Judiciary;

By Mr. -Screws—

H. 1084. To confer upon the city council of Montgomery the right to buy and sell real estate,

Montgomery delegation;

By Mr. Fleming—

H. 1085. To establish a separate school district to be known as the Ausley school district In Pike county,

Education;

By Mr. Boykin—

H. 1086. To amend section thirteen (13) of an act entitled an act to authorize the mayor and aldermen of the city of Girard to establish a system of public schools in said city, approved February 18th, 1891,

Education;

Also,

H. 1087. To prescribe the duties of circuit judges and solicitors in exchanging and holding special terms of court for each other,

Judiciary;

By Mr. Cook of Wilcox—

H. 1088. To create a lien in favor of the owners or keepers of pastures for the payment of their charges for pasturing stock,

Revision of laws;

Also,

H. 1089. To require owners or proprietors of ferry flats to have railing put on the side of them,

Commerce and common carriers ;

By Mr. Dale (with notice and proof)—

H. 1090. For the relief of A.F. Wilson,  
Appropriations;

By Mr. Montgomery—

H. 1091, To further regulate the removal of prisoners  
in this state,

Judiciary;

By Mr. Clark—

H. 1092. To authorize the city council of Montgom-  
ery to issue bonds for the purpose of paving or otherwise  
improving the streets and side-walks, or either, of the  
city of Montgomery,  
Montgomery delegation.

#### BILLS ON SECOND READING.

The chairmen of the several committees, reported  
favorably on the following bills :

H. 114. For the relief of G. W. Williams of the  
county of Jackson;

H. 219. To establish a uniform series of text-books  
for public schools in Etowah county ;

H. 482. To amend section 8 and 10 of an act to create  
the board of education of the city of Birmingham, and  
to prescribe the powers and duties of the same ;

H. 666. To amend an act to incorporate the inhabit-  
ants and territory formerly embraced within the corpo-  
rate limits of the municipal corporation (since dissolved)  
styled the City of Selma, and to establish a local govern-  
ment therefor, approved February 17, 1883, by amend-  
ing section seven thereof;

H. 711. To amend an act entitled an act to confirm  
the charter of the Dallas Manufacturing Company, and  
confer upon it additional powers, approved February  
2nd, 1893 ;

H. 722. For the relief of James Coyles Bullock, and  
to change the name of said James Coyles Bullock to  
James Coyles Berry;

H. 749. To amend section ten of an act entitled an act  
to constitute the City of Anniston a separate school dis-  
trict, and to provide a board of education therefor, ap-  
proved January 28th, 1891.

H. 761. To incorporate the Ozark Cotton Mill Com-  
pany,  
(With amendment) ;



H . 778. To amend an act entitled an act to amend an act entitled an act to establish and incorporate the Scott Academy, at Scottsboro in Jackson county, approved February 25th, 1889;

(With a substitute);

H. 779. To authorize the Tri-State Normal University to receive public school funds for students within school age;

H. 781. To establish Pleasant Hill School District in Jefferson county, Alabama;

H. 784. To repeal an act entitled an act to amend an act, to repeal section 3210 and to amend sections 3211, 3212, 3214, 3215, 3216 and 3217 of the code of 1886, relating to the condemnation of lands for public uses, approved February 18th, 1891, so far as the same relates to Limestone county; approved February 21st, 1893;

H. 806. To amend section 3872 of the code of 1886 ;

H. 848. To prohibit the manufacture of vinous, spirituous or malt liquors or other intoxicating beverages within one mile of the M. E. Church at the village of Elmore in Elmore county, and to prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors or other intoxicating beverages within four miles of said church,

(Adverse, with a minority report) ;

H. 861. To change, define and establish the line between the counties of Jefferson and Walker ;

H. 871. To establish a new charter for the City of Huntsville;

H . 885. To incorporate the town of West Blocton in the county of Bibb and state of Alabama ;

H. 896. To perpetuate the United States Government Surveys of lands in Autauga and Chilton counties ;

H. 898. To establish a new charter for the City of Anniston;

H. 934. To authorize and empower bonded constables in St. Clair county, Ala., to execute all process directed to them by any lawful officer of said State in any precinct other than the one for which they are elected or appointed, where the office of constable, in such other precinct is vacant, and to provide compensation therefor, and defining their liabilities on their official bonds ;

H. 948. To change and more permanently establish the line between the counties of Blount and Walker,

H. 984. To repeal an act entitled an act to amend section one of an act to establish a new charter for the town of Carrollton.

H. 963. To amend section two of an act entitled an act to make further provisions for the duties of coroner and the costs of coroners inquest, approved February 28, 1887, so far as the same relates to Jefferson county ;

H. 966. To increase the powers of the criminal court of Jefferson county;

H. 993. To provide for the payment of claims against the fine and forfeiture fund of Clarke county;

H. 994. To prohibit the sale, giving away, delivery, transferring, parting with, procuring or other disposition of spirituous, vinous or malt liquors, or any intoxicating bitters within five miles of the Andalusia High School, Baptist and Methodist churches ;

H. 1003. To amend an act entitled an act to regulate the disposition and management of the bequest made by James Wallace, late of Lawrence county, Alabama, for the benefit of free public schools in township seven, range nine, west, in said county, approved December 11, 1873;

H. 1008. To incorporate the town of Enterprise in Coffee county, Alabama;

H. 1012. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous, or malt liquors, or intoxicating wines or bitters within four miles of Neals Chapel in beat eight in Macon county, Alabama;

H. 1016. To regulate the manufacture, sale and use of any article or compound which shall be an imitation of genuine butter;

H. 1019. For the relief of persons who have paid for and taken out a liquor license and prohibited, by a subsequent act from selling under said license;

H. 1020. To regulate defenses to actions on policies of Life Insurance;

H. 1022. To prohibit taking fish by net, seine, poison or dynamite from any of the creeks or from Coosa river at any place within St. Clair county;

H. 1024. To amend an act, approved February 2, 1893, to authorize the mayor and council of the town of

Union Springs to issue bonds of said town for an amount not exceeding thirty thousand dollars for the purpose of erecting and maintaining a system of water-works and a system of electric lights one or both in said town;

H. 1067. To incorporate the board of lady managers of the hospital of United Charities in Birmingham, Alabama;

H. 794. To amend section six of an act, approved December the 9th, 1890, entitled an act, to prevent stock from running at large in Pike county so as to read as follows,

(With a substitute ;)

s. 209. To regulate the drawing and organizing of jurors in Choctow county ;

s. 211. To amend section 4298 of the code of Alabama ;

s. 264. To repeal an act entitled an act to regulate the trial of misdemeanors in Madison county, approved February 9th , 1877, and all acts amendatory thereof, and to provide for the disposal of cases remaining undetermined on the docket of the county court of Madison County;

s. 237. To authorize and require the commissioners court of Sumter county to set apart and appropriate money from the general fund of said county with which to pay and discharge certificates of state's witnessess, issued by the foreman of the grand jury and by the clerk of the circuit court and county court of said county, and officers' fees, which by law become a good claim against the fine and forfeiture fund of said county, after the approval of this act, and to regulate the manner of said payments; also, for the re-registration of outstanding valid claims against the fine and forfeiture fund of said county and to regulate the payment of the same;

s. 231. For the better enforcement of certain statutory liens.

The above and foregoing bills were severally read a second time and placed on the calendar.

#### SPECIAL ORDERS.

H. 469, 470, 471, and 468 were made a continuing special order for Saturday, February 2, at 11 o'clock a. m.;

H. 873 was made a special order for tomorrow, January 31, at 11 o'clock a. m ;

H. 593, 694 and 595 were made a special order for to-morrow, January, 31, at 11 o'clock ;

And the house recessed till 3 o'clock this afternoon.

#### AFTERNOON SESSION.

H. 1029. To fix the time when the officers of Phenix City, Alabama, elected hereafter shall qualify and enter upon the duties of the office,

Was read a third time, at length, and passed—yeas 58, nays 0.

Yeas :

Messrs. Speaker, Banks, Beasley, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Fuller, Fulton, Gewin, Graham, Grant, Graves, Harris, Hill, Jackson, Jinks, Killebrew, Kyle, Langley, Maples, Meadows, Mills, Mixon, Montgomery, Moore, Prowell, Rabb, Roach, Robbins, Rowe, Routon, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Tuck, Wheelless, Williams of Bullock—58.

H. 737. For the relief of the Troy Fertilizer company,

Was read a third time, at length, and passed—yeas 51; nays 1.

Yeas :

Messrs. Speaker, Bellinger, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Coleman, Cook of Talladega, Curtis, Dale, Fielding, Fleming, Fletcher, Fulton, Gewin, Graham, Grant, Harris, Hearn, Jackson, Jinks, John, Kelly, Killebrew, Kyle, Langley, Lipscomb, Meador, Meadows, Montgomery, Moore, McCluskey, McCorvey, O'Brien, Patton, Prowell, Rabb, Reaves, Robbins, Robinson, Rowe, Routon, Savage, Scarborough, Smith of Butler, Tuck, Turner, Williams of Bullock, Williams of Henry—51.

Nay—Mr. Graves—1.

H. 689. To establish an inferior court of criminal

jurisdiction in the city of Birmingham, define its powers, and provide for the election of a judge and the appointment of a clerk thereof,

Was amended, read a third time, at length, and passed—yeas 57, nays 0.

Yeas :

Messrs. Speaker, Banks, Barren, Beesley, Bellinger, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Ewing, Fielding, Fleming, Fletcher, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mixon, Moore, McCorvey, Ott, Patton, Prowell, Roach, Robbins, Scarborough, Smith of Autauga, Smith of Greene, Tuck, Ward, Whitten, Williams; of Bullock—57.

H. 880. Providing for the payment of the costs in certain cases where defendants were convicted of felonies in the city court of Talladega and after serving part of their respective terms in the penitentiary were released,

Was read a third time, at length, and passed—yeas 54, nays 0.

Yeas :

Messrs. Beasley, Bellinger, Boykin, Brown of Conecuh, Burks, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Ford, Fuller, Gains, Gewin, Gibbons, Graham, Grant, Graves, Jinks, John, Kelley, Killebrew, Kyle, Langley, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, Patton, Prowell, Rabb, Rand, Roach, Robinson, Rowe, Scarborough, Smith of Autauga, Smith of Greene, Tuck, Turner, Wheelless, Williams of Henry, Wood—54.

H. 677. For the relief of W. J. Ward, of Geneva county, Ala.,

Was read a third time, at length, and passed—yeas 55, nays 0.

Yeas:

Messrs. Beasley, Brown of Conecuh, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Dale, Fielding, Fleming, Fletcher, Ford, Forman, Fuller, Fulton, Gains, Graham, Grant, Jinks, Killebrew, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows,

Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Perry, Rabb, Rand, Reaves, Roach, Robbins, Rogers, Rowe, Routon, Savage, Scarborough, Smith of Autauga, Smith of Mobile, Tuck, Turner, Wheelless, Wood—55.

H. 814. To authorize the corporate authorities of the town of New Decatur in the county of Morgan to require the male inhabitants of said town within certain ages to perform work and labor on the streets and highways of said town, for the purpose of opening, maintaining and keeping said streets and highways in proper repair, and to require those failing to perform such work and labor to pay annually a sum of money to be devoted to the opening, repair and maintenance of the streets and highways, of said town.

Was read a third time, at length, and passed—yeas 55, nays 0.

Yeas :

Messrs. Banks, Beasley, Bellinger, Burks, Calhoun, Cameron, Camp, Cole, Coleman, Curtis, Dale, Ewing, Fielding, Fleming, Ford, Franklin, Fuller, Fulton, Gains, Gibbons, Grant, Graves, Jinks, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, Ott, Patton, Perry, Prowell, Reaves, Roach, Robbins, Rogers, Rowe, Routon, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Wood—55.

H. 553. To incorporate the town of Camp Hill,

Was read a third time, at length, and passed—yeas 54, nays 0.

Yeas :

Messrs. Banks, Barren, Beasley, Bellinger, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Deans, Fletcher, Fuller, Gains, Gewin, Grant, Jackson, Kelly, Kyle, Langley, Maples, Mastin, Meadows, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, O'Brien, Ott, Patton, Perry, Prowell, Roach, Robbins, Robinson, Rowe, Routon, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Summers, Tuck, Turner, Wheelless, Williams of Bullock, Williams of Henry, Wood—54.

H. 690. To limit the criminal jurisdiction of justices

of the peace and notaries public with the powers of justices of the peace in precincts twenty-one (21) and thirty-seven (37) in Jefferson county and in all the wards of the city of Birmingham,

Was read a third time, at length, and passed—yeas 55, nays 0.

Yeas:

Messrs. Speaker, Barron, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Curtis, Dale, Davis, Deans, Fielding, Fletcher, Fulton, Gains, Gewin, Graham, Grant, Graves, Hill, Jinks, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mayfield, Meadows, Mahan, Mixon, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Roach, Robbins, Robinson, Rowe, Sanford, Scarborough, Screws, Smith of Greene, Tuck, Wheelless, Wood—55.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

The committee on enrolled bills report the following bill correctly enrolled :

H. 674. To provide the ways and means to establish, open, improve, work and keep in good-condition the public roads in Dallas county, Alabama.

J. H. MONTGOMERY,  
Chairman.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The speaker of the house having signed the following bill your signature thereto is requested :

s. 42. To amend section 3588 of the code.

#### SIGNING OF BILLS.

The speaker of the house in the presence of the house immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set forth in the above report of committee on enrolled bills, and senate message.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has originated and passed the following bill:

s. 266. To establish a charter for the city of Fruit-hurst, in Cleburne county, Alabama.

W. L. CLAY,  
Secretary.

## SENATE MESSAGE.

The senate bill just received, whose title is set forth in the above and foregoing message, was read once, and referred to the committee, as follows :

Corporations, s. 266;

And the house adjourned till 10 o'clock to-morrow morning.

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THIRTY-SIXTH DAY.

## HOUSE OF REPRESENTATIVES,

January 31, 1895.

The house met pursuant to adjournment.

Prayer by Key. Mr. Elliott, of the city.

A quorum was present.

## REVISION OF JOURNAL.

The committee on the revision of the journal reported the journal of yesterday correct.

## LEAVE OF ABSENCE.

Was granted to Mr. Graham till Monday; to Mr. Cook, of Wilcox, for one day, and to Mr. Ford indefinitely.



## RESOLUTION.

Mr. Harris offered the following resolution :

Resolved by the house, the senate concurring, that house bill 521 be re-called from the governor, and the president of the senate and the speaker of the house erase their signatures therefrom, for the purpose of correcting said bill.

The rules were suspended, and resolution adopted.

By Mr. Kelly :

Resolved, That when 1250 bills shall have been introduced, it shall require a unanimous vote for a member to introduce a bill after the roll of counties is called,

Which was referred to the committee on rules.

## INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate committees, as follows :

By Mr. Williams, of Bullock—

H. 1093. To prohibit the sale, giving away, or otherwise disposing of any spirituous, vinous or malt liquors, intoxicating drinks or beverages, or fruits preserved in alcoholic liquors, within precinct No. eight, in Bullock county, Alabama,

Temperance;

By Mr. Cole—

H. 1094. To establish an agricultural school and experiment station, at or near Five Points, Chambers county, to be located by the governor, superintendent of education and the commissioner of agriculture,

Agriculture;

By Mr. Gewin—

H. 1095. To prevent stock from running at large from the first day of March to the fifteenth day of November, in each year in certain portions or territory of precinct No. 4, in Hale county, Alabama,

Local legislation;

By Mr. Montgomery (by request)—

H. 1096. To amend an act entitled an act to alter and amend the law relative to the territorial jurisdiction and pay of justices of the peace and notaries public ex-officio

justices of the peace in precincts 21 and 37 in Jefferson county, and the several wards of the city of Birmingham, and to provide a punishment for the violation hereof, approved December 13th, 1894,

Revision of laws ;

By Mr. O'Brien—

H. 1097. To create the office of auditor of Jefferson county, and to provide for the selection of the auditor, and to prescribe his powers and duties,

Jefferson delegation;

Also,

H. 1098. To regulate the working of children in mines and manufactories in this state,

Mining and manufacturing;

By Mr. Jackson—

H. 1099. To increase the facilities for agricultural education in Alabama,

Education;

By Mr. Rowe—

H. 1100. To amend an act entitled an act to establish the Hampton school district in Madison county, approved February 15th, 1993,

Education ;

By Mr. Smith, of Mobile—

H. 1101. To prevent animals from running at large on shell roads in the State of Alabama, and to provide a penalty therefor,

Local legislation;

By Mr. Reeves—

H. 1102. To repeal section 4193 of the code, so far as the same relates to the county of Randolph and county court, and provide for the unfinished business in said court to the circuit court of said county,

Revision of laws;

By Mr. Mayfield—

H. 1103. To repeal section 3391 of the code of Alabama,

Judiciary ;

Also,

H. 1104. To amend section 3389 of the code of Alabama,

Judiciary;

By Mr. Clark—

H. 1105. To authorize the Montgomery Infirmary to

establish a school for the training of nurses for the sick, and to grant diplomas to graduates therefrom,

Corporations;

By Mr. Ewing—

H. 1106. To establish a county school book board to select uniform series of text books for use in the public schools in the county of Cherokee, State of Alabama,

Education;

Also,

H. 1107. To amend an act to prevent stock from running at large in Cherokee county, to authorize elections thereon and to provide for building and maintaining fences and gates, approved February 16th, 1891;

Local legislation;

By Mr. Hill—

H. 1108. To regulate and control the operation and management of savings banks and institutions for savings in this state,

Banking and insurance;

By Mr. McQueen—

H. 1109. To confirm the incorporation of Young Democracy of Jefferson county under the general laws of the state of Alabama, and to amend and enlarge the powers thereof,

Corporations;

Also,

H. 1110. To provide for the better support and maintenance of the public schools of Walker county, Alabama,

Education;

By Mr. Smith of Autauga, by request—

H. 1111. To authorize the holding of the chancery courts of the counties of Coosa and Clay at Goodwater, Alabama, and to fix the times for holding said courts,

Judiciary;

By Mr. Fleming—

H. 1112. To authorize a patent to issue to certain lands in section 16, township 8, range 24, in Barbour county, Alabama, to the heirs of Nathan Minshew, deceased,

Judiciary;

By Mr. Taylor—

H. 1113. To repeal an act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or

malt liquors at or within certain localities in this state,, approved February 28, 1881, so far as the same relates to the corporate limits of the city of Fruithurst in Cleburne county on the Southern railroad,

Temperance;

Also,

H. 1114. To authorize the filing and recording of certain deeds of conveyance therein named in the office of the probate courts of this state,

Judiciary;

By Mr. Sanford—

H. 1115. To amend section two of house bill 580, approved January 30, 1895,

Corporations;

Also by request,

H. 1116. To amend section 4055 of the code of 1886,

Judiciary ;

By Mr. Franklin—

H. 1117. To regulate and extend the time of the meeting of the township trustees from the last Monday in October to the first Monday of June in each succeeding year, to hold their meeting in township three of range ten in DeKalb county, Alabama,

Local legislation;

By Mr. Lipscomb—

H. 1118. To amend sections four and six of an act entitled an act to provide for the empanneling petit-juries and grand juries and for the trial of criminal causes in the Bessemer division of the circuit court of Jefferson county holden at Bessemer, under an act to provide for the holding of terms of the circuit court of the tenth judicial circuit for the trial of civil causes at Bessemer in and for certain portions of Jefferson county therein mentioned, approved February 21, 1893, approved December 14, 1894,

Revision of laws ;

By Mr. Mayfield—

H. 1119. To provide for the revision, codification, digesting and promulgation of the statutes of this state, both civil and criminal,

Judiciary.

#### BILLS ON SECOND READING.

The chairmen of the committes reported favorably on

the following bills :

H. 50. To regulate and prescribe the manner of electing county commissioners in Winston county ;

H. 170. To regulate corporations engaged in the business of guaranteeing or acting as security for the fidelity of persona in public and private offices, employment or positions and the agents of certain corporations and prescribing penalty for failure to comply with the provisions thereof;

H. 460. To change the boundary lines of the counties of Colbert, Franklin and Lawrence;

H. 695. To authorize the sentencing of convicted felons in Jefferson county, Alabama, where the sentence as punishment does not exceed five years, to the penitentiary or to hard labor for the county;

H. 745. For the relief of M. E. Curtis, as sheriff of Wilcox county, Alabama;

H. 772. To amend an act entitled an act to amend section 499 of the code of Alabama, approved February 18, 1887;

H. 786. To establish the Hamilton School District in Marion county ;

H. 845. To create and establish Keyton School District in Coffee county, Alabama ;

H. 932. To declare and vest in the incorporated cities and towns of this state, alien or real estate for delinquent taxes due thereon or by the owner thereof;

H. 829. To incorporate the Security Banking and Loan Company of Birmingham, Alabama,

H. 875. To authorize the Van Kirk Land and Construction Company to borrow money and secure its payment ;

H. 886. To amend the charter of the town of Carbon Hill in Walker county, Alabama;

H. 1007. To authorize the mayor and aldermen of the city of Tuscaloosa to issue bonds of said city for an amount not exceeding fifty thousand dollars bearing six per cent. interest, payable semi-annually for the purpose purchasing, extending and maintaining water works to supply said city and the inhabitants thereof with water and to operate the same;

H. 1030. To authorize the intendent and councilmen of the town of Prattville to issue bonds ;

H. 1038. To amend section 188 of the code ;

- H. 1039. To amend section 185 of the code ;
- H. 1040. To amend section 191 of the code;
- H. 1041. To amend section 171 of the code;
- H. 1042. To amend section 174 of the code;
- H. 1043. To provide for filling vacancies in the elective officers of the Alabama State Troops;
- H. 1044. To authorize the formation of a brigade of the Alabama State Troops, and to provide for the appointment of the officers thereof ;
- H. 1045. To authorize an officer elected to the same-office in another organization to accept such office without losing his rank;
- H. 1046. To amend section 184 of the code;
- H. 1048. To authorize the several counties in this state to issue bonds for the purpose of building court houses, jails, and bridges, for repairing, improving or furnishing the same and for refunding any outstanding indebtedness of the several counties;
- H. 1051. To adopt a flag for the use of the State of Alabama;
- H. 1059. To amend an act entitled an act to incorporate the Phoenix City Railway Company, define its-rights, privileges, powers and franchises, approved December 19, 1894;
- H. 1058. To establish a branch agricultural school at Hamilton, in Marion county, Alabama;
- H. 1068. To establish an agricultural school and experiment station at or near Afton, Alabama, to be located by the governor, superintendent of education and the commissioner of agriculture ;
- H. 1075. To authorize the mayor and city council of Fort Payne to exempt from municipal taxation money-and property invested in manufacturing ;
- H. 1082. To amend section two (2) of an act entitled an act to establish a charter for the town of Albertville in Marshall county, Alabama, approved February 18, 1891;
- H. 1086. To amend section thirteen (13) of an act entitled an act to outhorize the mayor and aldermen of the city of Girard to establish a system of public schools-in said city, approved February 18, 1891;
- s. 37. To dispose of lands which have been, or may hereafter be sold for taxes and bid in for the state, and

which have not been redeemed or purchased from the state,

With amendment;

s. 131. To amend section four of an act entitled an act to authorize the increase of the capital stock and bonded indebtedness of private corporations organized under special charter, approved December 10, 1890 ;

s.168. To establish a county school book board to select a uniform series of text books for use in the public schools in the counties of Lamar, Walker and Fayette,

With amendment;

s. 204. To amend sections 1 and 2 of an act to regulate the sale of real estate in the city of Montgomery, Alabama, for unpaid taxes assessed for municipal purposes, approved February 10, 1887 ;

s. 205. To authorize the city council of Montgomery at any time to issue, bonds for the purpose of funding the bonded indebtedness of the city of Montgomery ;

s. 223. To incorporate the Farmers Mutual Insurance Association of the State of Alabama ;

s. 242. To change the boundary lines of the counties of Colbert, Franklin and Lawrence ;

s. 259. For the relief of persons who have purchased lands from the state which lands were bid off for the state at tax sale, and from any cause were not subject to sale by the state ;

s.277. To dissolve the incorporation of the Mobile Athletic Association, incorporated under the general laws of this state ;

s. 278. To incorporate the Young Men's Christian Association of Mobile, Alabama, and to define the powers thereof;

s. 288. To authorize the mayor and council of the town of Marion to erect and maintain waterworks in said town to issue bonds for the purpose of erecting and maintaining said water works to an extent not exceeding thirty thousand dollars, and to make provision by deed of trust and the creating of a sinking fund for the payment of said bonds ;

s. 308. To limit the time within which the old bonds of the state may be exchanged for the new bonds authorized by the act approved February 23rd, 1876 ;

s. 316. To amend an act to incorporate the Louise

Short Baptist Widows and Orphans Home, No. 310, approved February 14, 1891.

The above and foregoing bills, were severally read a second time, and placed on the calendar.

Mr. Taylor moved to take H. 265 from adverse report and place same on calendar, which motion was tabled.

On motion of Mr. Hill H. 1028 was recalled from the committee on education, and referred to the judiciary committee.

H. 973 was returned by the committee to which it had been referred, and referred to the delegation from the counties of Mobile and Baldwin.

The following bills were returned by the committees to which they had been referred, and re-referred to committees, as follows:

H. 772, to ways and means;

H. 1048, to judiciary.

On motion of Mr. Graves the following special orders were made:

H. 156, for to-morrow, February 1st, at 11 o'clock ;

H. 1120, for to-morrow, February 1st, at 11:30 o'clock;

Both of which to continue as special orders until disposed of.

#### BILLS ON THIRD READING.

H. 873. To consolidate and adjust the bonded debt of the State of Alabama ;

Mr. John offered the following amendment:

Strike out of section 1 the words, "in gold or such other lawful money of the United States, as the governor shall deem to the best interest of the State of Alabama.

The previous question being demanded and ordered, on the amendment, the amendment was adopted.

Yeas, 48, nays 40.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Burks, Burns, Cameron, Cole, Coleman, Cook of Talladga, Cook of Wilcox, Deans, Ellis, Ewing, Fielding, Franklin, Fuller, Gains, Harris, Hearn, Hill, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Langley, Dipscomb, Mastin, Meadows, Mills, Mixon, Rabb, Reaves, Robbins, Routon, Savage, Smith



of Butler, Smith of Mobile, Summers, Taylor, Tuck, Wheelless, Williams of Bullock—48.

Nays:

Messrs. Speaker, Brooks, Brown of Russell, Calhoun, Curtis, Dale, Davis, Fielding, Fleming, Fletcher, Fulton, Gewin, Gibbons, Grant, Graves, Maples, Mayfield, Meador, Mahan, Montgomery, Moore, McClusky, McCorvey, McQueen, Ott, Patton, Perry, Prowell, Rand, Roach, Robbins, Robinson, Rowe, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Turner, Williams of Henry, Wood—40.

Mr. Brooks moved that the further consideration of this bill be postponed till to-morrow morning immediately after the report of the committee on revision of the journal,

And the motion was lost.

Mr. Cameron moved the previous question and the motion carried—yeas 62, nays 22.

Yeas:

Messrs. Speaker, Barren, Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Burks, Burns, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Deans, Ellis, Ewing, Fielding, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Harris, Hearn, Hill, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Langley., Lipscomb, Maples, Mastin, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, Ott, Perry, Rabb, Rand, Reaves, Robinson, Rowe, Routon, Savage, Scarborough, Smith of Butler, Smith of Mobile, Summers, Taylor, Tuck, Wheelless, Williams of Bullock, Williams of Henry—62.

Nays :

Messrs. Brooks, Brown of Conecuh, Brown of Russell, Curtis, Dale, Davis, Fleming, Fletcher, Forman, Grant, Graves, Mayfield, McCorvey, Patton, Prowell, Roach, Robbins, Rogers, Screws, Seale, Smith of Autauga, Smith of Greene, Turner, Wood—22.

And the bill was read a third time at length and passed—yeas 53, nays 37.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Burks, Burns, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of

Wilcox, Deans, Ellis, Ewing, Fielding, Franklin, Fuller, Gains, Grant, Harris, Hearn, Hill, Jackson, Jinks, John, Kelly, Killebrew, Langley, Lipscomb, Meadows, Mills, Mixon, Rabb, Rand, Reaves, Robbins, Rogers, Routon, Sanford, Savage, Screws, Smith of Autauga, Smith of Butler, Taylor, Tuck, Wheelless, Williams of Bullock, Williams of Henry, Wood—53.

Nays:

Messrs. Speaker, Beeson, Brooks, Brown of Russell, Cole, Curtis, Dale, Davis, Fleming, Fletcher, Fulton, Gewin, Gibbons, Graves, Kennedy, Maples, Mastin, Mayfield, Meador, Mahan, Montgomery, Moore, McClusky, McCorvey, McQueen, Ott, Patton, Perry, Prowell, Roach, Robinson, Rowe, Scarborough, Smith of Greene, Smith of Mobile, Turner, Willett—37.

H. 593. To establish a court of inferior, civil and criminal jurisdiction of Mobile, and to define the jurisdiction thereof,

Was amended and as amended was read a third time at length and passed—yeas 61, nays 1.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Jinks, Killebrew, Langley, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, McCorvey, O'Brien, Ott, Perry, Prowell, Rabb, Roach, Robbins, Robinson, Routon, Savage, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Willett, Williams of Bullock, Wood—61.

Nays:

Mr. Brooks—1.

H. 594. To regulate the fees and costs in courts of justices of the peace in the city of Mobile,

Was read a third time at length, and passed—yeas 60, nays 0.

Yeas :

Messrs. Barren, Beeson, Boykin, Brown of Conecuh, Calhoun, Cameron, Camp, Cole, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gib-

bons, Grant, Harris, Hill, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, McClusky, McCorvey, McQueen, Ott, Perry, Roach, Robbins, Robinson, Routon, Sanford, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Williams of Henry, Wood—60.

Nays:

Mr. Brooks—1.

H. 595. Prescribing jurisdiction of justices of the peace in the city of Mobile,

Was read a third time at length and passed—yeas 56, nays 0.

Yeas :

Messrs. Barren, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Cole, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Franklin, Fuller, Fulton, Gibbous, Grant, Graves, Jinks, Kelly, Killebrew, Langley Lipscomb, Manias, Mayfield, Meador, Meadows, Mahan, Mills, Montgomery, McCorvey, McQueen, Patton, Perry, Prowell, Rabb, Reaves, Robbins, Robinson, Routon, Sanford, Screws, Smith of Autauga, Smith of Butler, Smith of Mobile, Tuck, Williams of Bullock, Wood—56.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has originated and passed following bills :

s. 167. To perfect titles to lands adversely held and claimed by citizens in the counties of Blount, Cullman, Winston and Jefferson;

s. 263. To amend section 2972 of the code of Alabama ; so as to provide a more effectual remedy against the subscribers to the capital stock of a corporation, who have not paid their subscription;

And has amended as therein shown, and, as amended, has passed the house bill;

H. 41. To regulate the issue of garnishments and the proceedings thereon in the county of Morgan.

In accordance with a joint resolution heretofore con-

curred in, the president of the senate has erased his signature from the house bill 502,

And the same is herewith transmitted to the house to enable you to so erase your signature therefrom ;

And the senate has originated and passed the follow-bill and ordered the same to be sent forthwith to the house without engrossment;

s. 322. To establish a new charter for the city of Huntsville.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once, and referred to the committees, as follows :

To the judiciary, s. 167, s. 263 ;

To the penitentiary and criminal administration s. 322.

And the house concurred in the senate amendment to H. 41. To regulate the issue of garnishments and the proceedings thereon in the county of Morgan.

Yeas 61, nays 0.

Yeas :

Messrs. Banks, Beasley, Bellinger, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Fulton, Gibbons, Grant, Jackson, John, Kelly, Kennedy, Kyle, Langly, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mahan, Mills, Mixon, McCorvey, McQueen, Prowell, Rand, Roach, Robinson, Rogers, Rowe, Routon, Scarborough, Smith of Autauga Smith of Greene, Summers, Tuck, Turner, Wheelless, Williams of Bullock, Williams of Henry, Wood—61.

#### ERASURE OF SIGNATURE.

In accordance with the resolution heretofore adopted, the speaker erased his signature from the bill H. 502.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

The committee on enrolled bills report the following bills correctly enrolled :

H. 47. To provide for the payment of claims against the fine and forfeiture fund of Tuscaloosa county;

H. 312. To abolish the county court of Marion county ;

H. 363. To allow a county surveyor of any county in this state to act as county surveyor of an adjacent county under certain conditions;

H. 505. To prohibit the sale or otherwise disposing of any alcoholic, vinous or malt liquors or other intoxicating drinks or beverages within three miles of Zion's Hill Missionary Baptist church, in beat 17 Tallapoosa county;

H. 551. To amend an act entitled an act to regulate the issuance of license to sell vinous, spirituous or malt liquors in Morgan county and approved February 3rd, 1883.

H. 579. To ratify and confirm the charter of the Montgomery Street railway, a corporation chartered under the general laws of this state, and to confer additional powers on said Montgomery Street Railway,

J. H. MONTGOMERY,  
Chairman.

## SIGNING BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, whose titles are set forth in the foregoing report of the committee on enrolled bills.

Mr. Hearn gave notice that he would call up for passage. at the afternoon session H. 762,

And the house recessed till this afternoon at 3 o'clock.

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 AFTERNOON SESSION.

## BILLS ON THIRD READING.

H. 896. To perpetuate the United States government

surreys of lands in Autauga and Chilton counties,

Was read a third time, at length, and passed—yeas 53, nays 0.

Yeas :

Messrs. Barron, Brooks, Brown of Conecuh, Brown of Russell, Burns, Camp, Cole, Coleman, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Form an, Franklin, Fuller, Gewin, Grant, Graves, Harris, Kelly, Killebrew, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, Patton, Perry, Prowell, Rand, Reaves, Roach, Robbins, Eobinson, Rogers, Savage, Scarborough, Smith of Autauga, Smith of Greene, Summers, Tuck, Wheeless, Williams of Henry, Wood—53.

H. 940. To re-enact section 4197 to 4232 inclusive for Bullock county,

Was read a third time, at length, and passed—yeas 52, nays 0.

Yeas :

Messrs. Beasley, Boykin, Brooks, Brown of Russell, Burns, Cole, Coleman, Curtis, Deans, Ellis, Ewing, Fleming, Fletcher, Gewin, Graham, Grant, Graves, Hearn, Hill, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Mahan, Mills, Mixon, McClusky, McCorvey, McQueen, Patton, Perry, Prowell, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Scarborough, Smith of Autauga, Smith of Greene, Tuck, Wheeless, Wood—52.

H. 1002. To fix the maximum of tolls to be charged by the owners, lessees, or operators of the road bridge crossing the Tennessee river, between the counties of Colbert and Louderdale, and known as the Florence bridge, and to fix the penalty for demanding or receiving a higher rate of toll,

Was read a third time at length and passed—yeas, 65, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Cole, Coleman, Cook of Wilcox, Deans, Ellis, Ewing, Fielding, Fleming, Franklin, Fuller, Gains, Gewin, Gibbons, Grant, Jackson, Jinks, John,

Kelly, Kennedy, Killebrew, Kyle, Langley, Maples, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Moore, McClusky, McCorvey, McQueen, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Taylor, Tuck, Turner, Wheelless, Wood—65.

H. 116. To amend an act entitled an act to establish the city court of Bridgeport, and to increase the jurisdiction thereof.

A substitute was adopted,  
And the bill

Was read a third time, at length, and passed—yeas 63, nays 0.

Yeas:

Messrs. Barren, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Cameron, Camp, Cole, Coleman, Cook of Talladega, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gibbons, Grant, Harris, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, Ott, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routou, Savage, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Wheelless, Willett, Williams of Bullock, Williams of Henry, Wood—63.

H. 291. To provide for and regulate the mode of selecting, drawing and empanneling grand and petit jurors for the county of Tuscaloosa.

Mr. Willett moved to amend by including Pickens county in the operations of the bill, which motion was adopted,

And the bill,

Was read a third time, at length, and passed—yeas 61, nays 0.

Yeas :

Messrs. Barren, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Cameron, Cole, Dale, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Gains, Gewin, Gibbons, Graves, Harris, Jackson, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mastin,

Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, McClusky, Ott, Patton, Prowell, Reaves, Roach, Robbins, Rogers, Rowe, Scarborough, Smith of Autauga, Smith of Butler, Smith of Mobile, Taylor, Tuck, Wheeless, Willett, Williams of Bullock, Williams of Henry, Wood—61.

H. 762. To give physicians a lien upon the personal property of any person for the payment of medicine furnished and services rendered to such person, or his family, not to exceed the sum of ten dollars a year, and to provide for the enforcement of such lien;

Mr. Cameron moved to table the amendment offered by the committee and Mr. Cameron's motion was lost.

Yeas 3, nays 65.

Yeas:

Messrs. Cameron, Camp and Langley—3.

Nays :

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Coleman, Dale, Deans, Fielding, Fleming, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Hearn, Hill, Jackson, Jinks, Kelly, Kennedy, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McQueen, Patton, Perry, Rabb, Rand, Roach, Robbins, Robinson, Rowe, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Wheeless, Willett, Williams of Bullock, Wood—65.

And the amendment offered by the committee was adopted.

And the bill,

Was read a third time, at length, and passed—yeas 52, nays 11.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Brown of Conecuh, Calhoun, Cameron, Camp, Cole, Dale, Deans, Fielding, Fletcher, Fuller, Gains, Grant, Hearn, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Maples, Mayfield, Meador, Meadows, Mahan, Mixon, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Ott, Perry, Prowell, Rand, Robbins, Robinson, Rogers, Screws, Smith of Autauga, Smith of Butler,



Smith of Greene, Summers, Tuck, Turner, Willett, Williams of Bullock, Williams of Henry, Wood—52.

Nays :

Messrs. Brown of Russell, Burks, Burns, Ellis, Ewing, Gewin, Gibbons, Mastin, Mills, Rabb, Wheelless—11.

H. 848. To prohibit the manufacture of vinous, spirituous or malt liquors or other intoxicating beverages within one mile of the M. E. Church at the village of Elmore, in Elmore county, and to prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors or other intoxicating beverages within four miles of said church,

Was read a third time, at length, and passed—yeas 45, nays 43.

Yeas:

Messrs. Speaker, Banks, Bellinger, Brooks, Brown of Conecuh, Burks, Burns, Cameron, Camp, Coleman, Cook of Talladega, Curtis, Deans, Ellis, Ewing, Fleming, Gewin, Gibbons, Hill, Jackson, Jinks, Kelly, Kyle, Maples, Mastin, Mayfield, Meadows, Mills, Mixon, Montgomery, McClusky, McCorvey, McQueen, Patton, Prowell, Rand, Robinson, Screws, Smith of Autauga, Smith of Butler, Smith of Mobile, Taylor, Tuck, Willett, Williams of Henry, Wood—45.

Nays :

Messrs. Barren, Beasley, Beeson, Brown of Russell, Calhoun, Coleman, Dale, Davis, Fielding, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Grant, Graves, Harris, Hearn, John, Kennedy, Langley, Lipscomb, Meador, Moore, Ott, Perry, Rabb, Reaves, Roach, Robbins, Rogers, Rowe, Routon, Savage, Scarborough, Seale, Smith of Greene, Summers, Turner, Wheelless, Williams of Bullock—43.

And the bill was ordered to be sent forthwith without engrossment to the senate.

s. 244. To appropriate the amount of the per diem for the term for which the late Hon. P. S. Holt was elected to serve as a member of the house of representatives from Macon county in this general assembly, which accrued prior to the date of the special election to fill the vacancy caused by his death, to the widow, of said representative,

46 h

Was read a third time, at length, and passed—yeas 84, nays 0.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown-of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fletcher, Forman, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hill, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Maples, Mastin, Mayfield, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Taylor, Tuck, Wheelless, Willett, Williams of Bullock, Williams of Henry, Wood—84.

s. 213. To relieve Maud W. Davidson of the disabilities of non-age,

Was read a third time, at length, and passed—yeas 65, nays 0.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, camp, Cole, Coleman, Cook of Talladega, Curtis, Dale, Davis, Deans, Ewing, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Maples, Mayfield, Meador, Meadows, Montgomery, Moore, Ott, Patton, Perry, Prowell, Rabb, Reaves, Roach, Robbins, Rogers, Rowe, Savage, Scarborough, Smith of Autauga, Smith of Greene, Summers, Tuck, Wheelless, Willett, Williams of Bullock, Williams of Henry, Wood—65.

H. 915. To refund to J. H. Williams, of Elmore county, the sum of eighty dollars, with interest, being purchase money for certain land heretofore erroneously sold him by the state,

Was read a third time, at length, and passed—yeas 61, nays 0.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Brown of Russell, Burns, Calhoun, Cameron, Cole, Colemam,

Cook of Talladega, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Forman, Fuller, Fulton, Gewin, Grant, Graves, Jackson, Jinks, John, Kelly, Kennedy, Kyle, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mixon, McClusky, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Routon, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Taylor, Tuck, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—61.

H. 801. To authorize a vote of the legal voters of Daviston, beat 17, in Tallapoosa county, to decide whether spirituous, vinous or malt liquors shall be sold within the corporate limits of the town of Daviston in said beat,

Was on motion of Mr. John, tabled.

And the house adjourned till 10 o'clock to-morrow morning.

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#### THIRTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,  
February 1, 1895.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Dannelly of the city.

A quorum was present.

#### REVISION OF JOURNAL.

The committee on the revision of the journal reported the journal of yesterday correct.

#### LEAVE OF ABSENCE.

Was granted to Mr. Smith of Autauga till Monday, to Mr. O'Brien for to-day, and to Mr. Rabb for to-morrow.

Mr. Bellinger moved to recall from the senate the house bill 848.

Mr. Kyle moved to table Mr. Bellinger's motion, and Mr. Kyle's motion was lost—yeas 38, nays 46.

Yeas:

Messrs. Speaker, Banks, Burns, Cameron, Camp, Coleman, Cook of Taladega, Curtis, Davis, Deans, Fletcher, Fulton, Gewin, Hill, Jackson, Jinks, Kennedy, Kyle, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mills, Montgomery, McCorvey, McQueen, Patton, Prowell, Robbing, Robinson, Rogers, Screws, Smith of Mobile, Taylor, Tuck, Ward, Willett, Wood,—38.

Nays:

Messrs. Barron, Beasley, Beeson, Bellinger, Brown of Russell, Burks, Calhoun, Cole, Cook of Wilcox, Dale, Ellis, Ewing, Fleming, Forman, Franklin, Fuller, Fulton, Grant, Graves, Harris, Hearn, John, Kennedy, Killebrew, Knight, Mahan, Mills, Moore, McClusky, Ott, Perry, Rabb, Reaves, Roach, Rowe, Routon, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Turner, Wheelless, Williams of Bullock, Williams of Henry—46.

And Mr. Bellinger's motion was carried—yeas 48, nays-40.

Yeas:

Messrs. Barron, Beasley, Beeson, Boy kin, Brown of Russell, Burks, Calhoun, Cole, Cook of Wilcox, Dale, Ellis, Ewing, Fielding, Fleming, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, John, Kennedy, Killebrew, Knight, Langley, Meador, Mahan, Mixon, Moore, Ott, Perry, Rabb, Roach, Rowe, Routon, Savage, Scarborough, Smith of Butler, Smith of Greene, Turner, Wheelless, Williams of Bullock—48.

Nays:

Messrs. Speaker, Banks, Brooks, Burns, Cameron, Camp, Coleman, Cook of Talladega, Curtis, Davis, Deans, Fletcher, Gewin, Hill, Jackson, Jinks, Kelly, Kyle, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mills, Montgomery, McClusky, McCorvey, McQueen, Patton, Prowell, Reaves, Robbins, Robinson, Rogers, Screws, Taylor, Tuck, Ward, Willett, Wood—40.

Mr. Willett, rising to a point of order, stated that as the motion of the gentleman from Blount, (Mr. Bellinger) did not state for what purpose the bill was recalled, the suspension of the rules was required to carry the motion.

The speaker decided the point and order not well taken ;

And from the ruling of the speaker, Mr. Willett appealed.

The decision of the speaker was allowed to stand as the decision of the house.

Yeas 77, nays 0.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Rouiton, Savage, Scarborough, Screws, Smith of Butler, Smith of Greene, Taylor, Tuck, Turner, Ward, Wheelless, Willett, Williams of Bullock, Wood—89.

Mr. Hill then moved to reconsider the vote by which Mr. Bellinger's motion was carried, and pending the consideration of Mr. Hill's motion the house received the following:

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has originated and passed the following bills:

- s. 222. To amend section 3878 (4414) of the code, so far as the same relates to the county of Cherokee ;
- s. 246. To incorporate the Southern Coal Company;
- s. 345. To incorporate the Southern Home Insurance Company and to define its rights, powers and franchises;
- s. 347. To incorporate the Planters Warehouse and Commission Company;
- s. 349. To prohibit stock from running at large on lands owned by T. H. Bradford in Marengo county ;
- s. 352. To incorporate the town of Newton in the county of Dale;

And the senate has adopted a joint resolution herewith sent, requesting the governor to return the senate bill s. 30 to the senate for amendment,

And has originated and passed the following bills :

s. 334. To amend an act to incorporate the Tuskegee Female College, approved February 22nd, 1854, and an act to amend an act entitled an act to incorporate the Tuskegee Female College, approved March 28th, 1873, so as to prohibit the sale of spirituous, vinous, and malt liquors within four miles of the Alabama Conference-Female College ;

s. 191. To regulate the holding of the circuit court for Randolph county;

s. 326. To amend section 535 of the code of Alabama, so far as the same relates to Randolph county;

s. 318. To prohibit the manufacture of vinous, spirituous or malt liquors or other intoxicating beverages within one mile of the M. E. church at the village of Elemore, in Elmore county, and to prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors or other intoxicating beverages within four miles of said church ;

s. 103. To create a lien in favor of the owners of public ginneries ;

s. 300. To establish a separate school district to be, known as Antioch school district in Marshall county ;

s. 294. To fix the time of holding the chancery-courts in counties of Pike, Coffee and Geneva;

And has amended as therein shown, and, as amended, has passed the house bills :

H. 189. To define the corporate limits of the city of Birmingham in the State of Alabama;

H. 46. To provide for the compensation of the county solicitor for Tuscaloosa county ;

H. 273. To amend section 3091 (3496) of the code of Alabama of 1886 ;

And has passed the house bills :

H. 296. To repeal an act entitled an act for the preservation of game animals and birds in the counties of Sumter and Chilton, approved February 23, 1887, so far as the same relates to Chilton county ;

H. 217. To authorize the mayor and councilmen of the town of Brewton to issue bonds of said city for all

amount not exceeding fifteen thousand dollars, for the purpose of building or purchasing suitable school building for the use of the residents thereof ;

H. 618. To prevent the explosion of dynamite or any other explosive material in any of the waters of Bibb county, Alabama ;

H. 304. To regulate the issue of garnishments and proceedings thereon before justices of the peace and notaries public ex-officio justices of the peace in the county of Escambia;

H. 348. To authorize the court of county commissioners of Lamar county to issue the bonds of the county not exceeding three thousand dollars to repair court house and jail of said county ;

H. 381. To further regulate the fees of constables for attending justice court in Lawrence county ;

H. 564. To establish a separate school district to be known as the Crane Hill School District in Cullman county, Alabama;

H. 403. To change the time of making application under the provisions of an act for the relief of needy Confederate soldiers and sailors, residents of Alabama, who from wounds or other cause, are now unable to make a livelihood and for the widows of such as were killed or died in said war and have not since remarried, approved February 13, 1891;

H. 423. To declare Charles K. Foote and Charles G. Foote, who now reside in the county of Washington, near the boundary line between the county of Washington and the county of Mobile, citizens of the county of Mobile, and to authorize them to assess certain of their real property on or near said boundary line with the tax assessor of Mobile county, and to pay their taxes on it to the tax collector of Mobile county ;

H. 623. To prohibit the selling or giving away of alcoholic, spirituous, vinous or malt liquors within five miles of Holland's Chapel Methodist church, and within the voting precinct of Dutton, all within the county of Jackson;

H. 676. To amend an act entitled an act to better provide for keeping up the public roads of Escambia county, which became a law February 15th, 1893 ;

And has concurred in the report of the committee of

conference on the disagreement of the two houses on the bill,

s. 57. To declare a rule of evidence upon the trial of persons indicted for violating the provisions of laws prohibiting the sale of vinous, spirituous, or malt liquors, or of alcoholic bitters, cordials, or beverages in any county or beat; and to make the fact that the defendant has obtained a license from the internal revenue department of the United States prima facie evidence of the defendant's guilt.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just recieved, whose titles are set forth in the above and foregoing message, were severally read once, and referred to the committees, as follows :

To corporations, s. 334, 246, 345, 347, 352 ;

To judiciary, s. 191, 294;

To local legislation, s. 326, 222, 349 ;

To temperance, s. 318 ;

Revision of laws, s. 103 ;

Education, s. 300 ;

And the house concurred in the resolution requesting the return by the governor of the senate bill 30.

And the house concurred in the senate amendments to

H. 46. To provide for the compensation of the county splicitor for Tuskaloosa county,

Yeas 56, nays 0.

Yeas :

Messrs. Speaker, Barren, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fletcher, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Graham, Graves, Harris, Jackson, Kelly, Kennedy, Killebrew, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Mahan, Mixon, Montgomery, Moore, McClusky, McCorvey, Patton, Prowell, Rand, Reaves, Roach, Rowe, Savage, Smith of Greene, Tuck, Ward, Williams of Bullock, Wood—56.

Also,



H. 273. To amend section 3091 (3496) of the code of Alabama of 1886,

Yeas 54, nays 1.

Yeas :

Messrs. Speaker, Beeson, Boykin, Brown of Russell, Burks, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Curtis, Dale, Davis, Deans, Fletcher, Forman, Franklin, Fulton, Gibbons, Grant, John, Kennedy, Knight, Kyle, Langley, Maples, Mastin, Meador, Meadows, Mixon, Montgomery, McClusky, McCorvey, Ott, Patton, Perry, Rabb, Roach, Robbins, Rogers, Rowe, Savage, Scarborough, Seale, Smith of Butler, Smith of Mobile, Taylor, Tuck, Ward, Williams of Bullock, Williams of Henry, Wood—54.

Nays: Mr. Mayfield.

And the house bill,

H.189. To define the corporate limits of the city of Birmingham in the State of Alabama,

Together with the senate amendment, was referred to the Jefferson delegation.

#### REPORT OF CONFERENCE COMMITTEE.

Mr. Speaker:

The committee of conference on the disagreement of the two houses on the house amendment to the bill,

s. 47. To make United States license for the sale of spirituous, vinous, or malt liquors, or of alcoholic bitters, cordials, or beverages in any county or beat; and to make the fact that the defendant has obtained a license from the internal revenue department of the United States prima facie evidence of the defendant's guilt,

Have had the same under consideration and recommend that the senate accede to the House amendment thereto.

J. S. E. ROBINSON,

A. D. SAYRE,

Committee on the part of the senate.

E. D. WILLETT,

R. B. KELLY,

W. J. BOYKIN,

Committee on the part of the house.

And the house concurred-in the above report of conference committee.

Yeas 54, nays 1.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Bellinger, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Franklin, Fulton, Gewin, Grant, Graves, Harris, Jackson, Kelly, Killebrew, Langley, Maples, Meador, Mills, Montgomery, McClusky, McCorvy, Patton, Perry, Prowell, Rabb, Roach, Robinson, Routon, Savage, Scarbrough, Smith of Butlerr Tuck, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry, Wood—54.

Nays:

Mr. Rowe.

Mr. Knight, offered the following resolution :

Resolved by the house, That the governor be, and he is hereby requested to furnish this house with information concerning the number, and compensation of solicitors of the several courts of this state, who are paid by the state, other than circuit solicitors,

Which was adopted.

#### INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate committees , as follows :

By Mr. Graves—

H. 1120. To empower justices of the peace, and notaries public with powers of justices of the peace, in Barbour county, to sentence for costs in certain criminal proceedings, to hard labor for the county,

Revision of laws;

By Mr. John—

H. 1121. To amend an act entitled an act to amend an act entitled an act to provide for the registration and lien of judgments and decrees for the payment of money, approved February 26, 1889,

Judiciary;

Also,

H. 1122. To enable the owners of lots, or parts of lots in the city of Birmingham, situate between 16th and 17th streets, and 10th and O'Brien avenues, to lay off and improve, and sell the same for burial purposes,

Corporations;

By Mr. Summers (by request)—

H. 1123. To abolish the charter of the town of Moulton, in Lawrence county, Alabama,

Corporations;

By Mr. Wood (by request)--

H. 1124. To authorize municipalities of this state, to appoint inspectors of milk, and other dairy products or substitutes therefor,

Public health;

By Mr. Coleman---

H. 1125. To authorize and empower the faculty of the Northeast Alabama Agricultural School and Experiment Station at Albertville to grant certificates of proficiency, and diplomas, and confer college degrees on the graduates of said institution,

Education;

By Mr. Clark—

H. 1126. To ratify and confirm the charter of the Standard Building and Loan Association of Montgomery, Alabama, The Mutual Benefit Building and Loan Association of Montgomery, and the Home Building and Loan Association of Montgomery, corporations under the general laws of this state, and to authorize them to issue what is known as paid up stock and to lend money on the stock of their members,

Corporations ;

By Mr. Forman— ,

H. 1127. To establish the Ragland school district in St. Clair county,

Education ;

By Mr. Mills—

H. 1128. To require a more accurate description of property as to its value when a mortgage is given upon it,

Judiciary ;

By Mr. Smith, of Butler—

H. 1129. To provide a system of water works for the city of Greenville, and to authorize the mayor and city council of Greenville, Alabama, to issue bonds for an

amount not exceeding twenty thousand dollars for the purpose of purchasing a system of water works,

Corporations;

Mr. Mr. Screws—

H. 1130. To define train robbing, and fix the punishment therefor,

Commerce and common carriers ;

By Mr. Lipscomb (by request, with notice and proof)—

H. 1131. To prohibit the running at large of certain animals, in precinct number one, in Jefferson county, Alabama,

Judiciary;

By Mr. Brooks—

H. 1132. To prescribe the amount to be paid for the use of the seal of the state, upon commissions issued to officers and upon warrants of arrests issued upon any requisition of the governor of another state,

Ways and means ;

Also,

H. 1133. To prescribe the duty of the secretary of the state in the distribution of books, within his control,

Ways and means;

By Mr. Mayfield—

H. 1134. To repeal sections 854, 859 and 860 of the code of Alabama,

Judiciary;

Also,

H. 1135. To amend sections 856, 857 and 858 of the code of Alabama,

Judiciary.

#### BILLS ON SECOND READING.

The chairmen of the several committees reported favorably on the following bills :

H. 754. To confer chancery powers and jurisdiction upon the circuit court in the several counties of the seventh judicial circuit, to regulate the practice and procedure in said courts, and in the supreme court;

H. 858. To change the name of Charles Preston Farr to that of Charles Preston Gullatt;

H. 920. To authorize Susan M. Daniel, a minor, to sell and convey her lands situated in Jackson county ;

H. 921. To amend section 1386 of the code of Alabama, of 1876,;

H. 999. To amend and re-enact sections 3018, 3022, 3025, 3026, 3027, 3028, 3141, and to amend section 3048 of the code of Alabama;

H. 1017. To amend section 2672 of the code ;

H. 1033. To regulate the practice and proceedings in civil and criminal cases in the circuit court of Cherokee county, in this state, and in supreme court on appeal in said cases ;

H. 1060. To authorize and empower the register in chancery for the sixteenth district of the northwestern division of Alabama, to exercise all powers now conferred upon him by law in term time as well as in vacation,

H. 1083. To amend sections seventeen and eighteen, of the regulations of the harbor of Mobile, published and promulgated pursuant to the act to provide for the publication and distribution of the code of Alabama, approved February 21, 1887 ;

H. 1087. To prescribe the duties of circuit judges and solicitors in interchanging and holding special terms of court for each other and to authorize the governor to direct and require a special or adjourned term of any circuit or city court to be held whenever in his judgment the public good requires it;

H. 1091. To further regulate the removal of prisoners in this state,

H. 1111. To authorize the holding of the chancery court of the counties of Coosa and Clay at Goodwater, Alabama, and to fix the time for holding said court;

H. 1119. To provide for the revision, codification, digesting, and promulgation of the statutes of this state, both civil and criminal;

H. 1090. For the relief of A. F. Wilson;

s. 15. To amend an act entitled an act to establish a city court for the county of Talladega, approved February 23, 1893,

(With amendments) ;

s. 57. To declare a rule of evidence upon the trial of persons indicted for violating the provisions of laws prohibiting the sale of vinous, spirituous, or malt liquors or of alcoholic bitters, cordials, or beverages in any

county or beat; and make the fact that the defendant has obtained a license from the Internal Revenue Department of the United States prima facie evidence of the defendant's guilt,

(With amendment) ;

s. 143. To prescribe the cases where sworn answers may be required in chancery, and to declare the effect thereof;

s. 187. Prescribing additional duties for judges of probate courts, in reference to keeping certain indexes, provided this bill shall not apply to the counties of Mobile, Perry and Bibb ;

s. 201. To fix the time of holding the chancery courts in the counties of Monroe and Perry ;

s. 228. To regulate the practice and proceedings in civil cases in the Circuit Courts of Morgan and Madison counties:

s. 229. To fix the times and regulate the holding of the courts in the Eighth Judicial Circuit of the state of Alabama;

s. 233. To provide for the drawing of jurors for the May and November terms of the circuit court for the county of Madison for the year 1895 ;

s. 239. To amend section 2348 of the code;

s. 240. To prescribe the venue in suits against assignees under a general assignment for the benefit of creditors ;

s. 248. To amend section 1 of an act entitled an act to regulate the practice and procedure in the circuit court, in Talladega county, in this state, approved Dec. 13, 1894;

s. 267. To detach Lowndes county from the Fourth and attach it to the Second Judicial Circuit, and to detach the county of Bibb from the Fifth and attach it to the Fourth Judicial Circuit, and to detach Covington county from the Second and attach it to the Twelfth Judicial Circuit, and to fix the time for holding the circuits courts in said counties ;

s. 315. To amend section three of an act entitled an act, to create the eleventh judicial circuit of the State of Alabama, to fix the time of holding court therein, and to provide for the appointment of a judge for the said circuit, and the election of a solicitor for said circuit,

approved December 7, 1894;

H. 895. To authorize C. L. James the guardian of Amanda James, a lunatic/and widow of James James, deceased, to convey the right of dower of said Amanda James, in certain land without order of court;

H. 1069. To better provide for the payment of certain claims therein named.

The above and foregoing bills, were severally read a second time, and placed on the calender.

Mr. Hill moved that H. 893 be recalled from the Judiciary committee, and re-committed to the committee on revision of laws—carried.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the house joint resolution ,

Recalling from the Governor house bill No. 521, for the purpose of correction, and requesting the Speaker of the house and President of the senate to erase their signatures from said bill, when so returned.

W. L. CLAY,  
Secretary.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

The committee on enrolled bills report the following bills correctly enrolled.

H. 41. To regulate the issue of garnishments and the proceedings thereon in the county of Morgan ;

H. 217. To authorse the mayor and councilmen of the town of Brewton to issue bonds of said city for an amount not exceeding fifteen thousand dollars, for the purpose of building or purchasing suitable school building for the use of the residents thereof ;

H. 296. To repeal an act entitled an act for the preservation of game animals and birds in the counties of Sumter and Chilton, approved February 23, 1887, so far as the same relates to Chilton county ;

H. 304. To regulate the issue of garnishments and proceedings thereon before justices of the peace and no-

tary publics ex- officio justices of the peace in the county of Escambia;

H. 348. To authorize the court of county commissioners of Lamar county to issue the bonds of the county not exceeding three thousand dollars to repair the court house and jail of said county ;

H. 381. To further regulate the fees of constables for attending justice court in Lawrence county ;

H- 403. To change the time of making application under the provisions of an act for the relief of needy confederate soldiers and sailors, residents of Alabama, who from wounds or other cause, are now unable to make a livelihood and for the widows of such as were killed or died in said war and have not since remarried, approved February 13, 1891;

H. 423. To declare Charles K. Foote and Charles G. Foote, who now reside in the county of Washington, near the boundary line between the county of Washington and the county of Mobile, citizens of the county of Mobile, and to authorize them to assess certain of their real property on or near said boundary line with the tax assessor of Mobile county, and to pay their taxes on it to the tax collector of Mobile county ;

H. 564. To establish a separate school district to be known as the Crane Hill school district in Cullman county, Alabama;

H. 618. To prevent the explosion of dynamite or any other explosive material in any of the waters of Bibb-county, Alabama;

H. 623. To prohibit the sale or giving away of alcoholic, spirituous, vinous, or malt liquors within five miles of Holland's Chapel Methodist church, and within the voting precinct of Button, all within the county of Jackson;

J. H. MONTGOMERY,  
Chairman.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bills, your signature thereto is requested ;

s. 71. An act to establish the county or beat of resi-



dence of persons when their residence is partly in two or more counties, or beats ;

s. 148. An act to authorize the mayor and councilmen of the town of Evergreen to issue bonds of said town for an amount not exceeding ten thousand dollars for the payment of work already done on the Southwest Alabama Agricultural School building in said town and to complete and furnish the same and to enclose and permanently improve the grounds.

W. L. CLAY,  
Secy.

#### SIGNING BILLS.

The speaker of the house in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set forth in the foregoing senate message, and report of committee on enrolled bills.

Mr Knight gave notice that he would call up for passage at the afternoon session, H. 796.

#### BILLS ON THIRD READING.

H. 156. To require insurance companies to pay full face value of all policies issued by them when property on which policy was issued has been destroyed by fire unless said property was fraudently destroyed.

Mr. May field offered the following amendment to the substitute suggested by the committee :

Amend by striking out section 4 of said bill,

And the amendment was lost—yeas 10, nays 54.

Yeas:

Messrs. Speaker, Boykin, Cook of Talladega, Kyle, Mayfield, Mahan, Montgomery, McClusky, Patton, Rand—10.

Nays:

Messrs. Barren, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Coleman, Cook of Wilcox, Dale, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Hill, John, Kennedy, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows,

47 h

Mills, McCorvey, McQueen, Ott, Perry, Prowell, Rabb, Robinson, Rogers, Rowe, Scarborough, Smith of Butler, Smith of-Mobile, Taylor, Tuck, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry, Wood, —54.

Mr. Lipscomb offered the following amendment to the substitute:

Amend 3rd section by striking out the word "conclusively," where it occurs in said section,

And Mr. Lipscomb's amendment was tabled, on motion of Mr. Wood—yeas 54, nays 13.

Yeas :

Messrs. Barren, Beeson, Boykin, Brown of Conecuh, Burks, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Gains, Gewin, Gibbons, Grant, Graves, Hill, Kennedy, Knight, Maples, Mastin, Mayfield, Meadows, Mills, Mixon, Ott, Patton, Prowell, Rabb, Rand, Reaves, Robinson, Rogers, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry, Wood—64.

Nays :

Messrs Beasley, Brooks, Brown of Russell, Fulton, Hearn, John, Kyle, Lipscomb, Mahan, Roach, Rowe, Sanford, Smith of Mobile—13.

Mr. Sanford offered an amendment to the substitute, pending the consideration of which, the house recessed till 3 o'clock this afternoon.

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#### AFTERNOON SESSION.

#### BILLS ON THIRD READING.

H. 219. To establish a uniform series of text books for public schools in Etowah county ;

The following amendment was offered by Mr. Meador, and adopted:

Amend section one so as to insert just before the word "teachers" the words "first grade."

The bill was amended by adding the following coun-

ties: Marengo, Escambia, Russell, Monroe, Lamar, Dallas, Bullock, Clarke, Pike, Colbert, Lowndes, Crenshaw, Lawrence, Butler, Tallapoosa, Covington, Franklin, Madison, Marion, Chambers, Randolph, Greene, Limestone, Elmore, Sumter, Lee, Shelby, Coosa, Conecuh, Bullock, Calhoun, Choctaw and Washington,

And as amended the bill was read a third time at length and passed—yeas 67, nays 13.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Franklin, Fuller, Gains, Gibbons, Grant, Graves, Harris, Hearn, Jackson, Kelly, Kennedy, Kyle, Langley, Meador, Meadows, Mahan, Mixon, McClusky, McCorvey, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Rogers, Rowe, Routon, Savage, Scarborough, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Williams' of Bullock, Williams of Henry—67.

Nays :

Messrs. Speaker, Fulton, John, Knight, Lipscomb, Maples, Mills, Montgomery, Moore, McQueen, Robinson, Seale and Wood—13.

H . 1058. To establish a branch Agricultural Experiment Station and Agricultural School at Hamilton in Marion county, Alabama,

Was read a third time at length and passed—yeas 66, nays 9.

Yeas :

Messrs. Speaker, Banks, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Curtis, Dale, Davis, Fielding, Fletcher, Fulton, Gewin, Gibbons, Grant, Graves, Jackson, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Maples, Meador, Meadows, Mahan, Mills, Mixon, McClusky, McCorvey, McQueen, Ott, Patton, Perry, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Screws, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry—66.

Nays :

Messrs. Cook of Wilcox, Fielding, Fuller, Hearn, Lipscomb, Montgomery, Rabb, Summers, Wood—9.

H. 796. To create the thirteenth judicial circuit of the state of Alabama, to regulate the terms, practice and procedure therein ; to provide for the appointment and election of a judge and solicitor for said circuit, and to extend the powers and jurisdiction of said court;

Mr. Camp offered an amendment, and on motion of Mr. Kelly the bill and amendment was tabled.

s. 288. To authorize the mayor and council of the town of Marion to erect and maintain water works in said town ; to issue bonds for the purpose of erecting and maintaining said water works to an extent not exceeding thirty thousand dollars, and to make provisions by deed of trust and the creating of a sinking fund for the payment of said bonds,

Was read a third time, at length, and passed—yeas 50, nays 16.

Yeas :

Messrs. Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Curtis, Dale, Davis, Ellis, Fielding, Fleming, Fletcher, Ford, Fuller, Fulton, Gewin, Gibbons, Graves, Harris, Jinks, Kennedy, Knight, Kyle, Lipscomb, Maples, Mahan, Mills, Montgomery, Moore, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robinson, Rogers, Scarborough, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Willett, Williams of Bullock, Wood—50.

Nays :

Messrs. Burks, Cameron, Forman, Franklin, Gains, Harris, Jackson, John, Killebrew, Langley, Meadows, Mixon, Robbins, Routon, Savage, Taylor, Wheelless—16.

H. 853. To amend an act to incorporate the town of Geneva, in Geneva county, approved March the 4th, 1875,

Was read a third time, at length, and passed—yeas. 68, nays 0.

Yeas:

Messrs. Barron, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Curtis,

Davis, Deans, Ellis, Ewing, Fielding, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Grant, Harris, Hearn, Jackson, Jinks, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Mills, Montgomery, Moore, McClusky, McCorvey, O'Brien, Patton, Prowell, Rand, Reaves, Robbins, Rogers, Routon, San ford, Savage, Scarborough, Seale, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Wheelless, Williams of Bullock, Wood—68.

H. 216. To define the boundary lines of the Clintonville school district in Coffee county, Alabama.

A substitute was offered and adopted, and the bill as amended was read a third time, at length, and passed—yeas 69, nays 0.

Yeas :

Messrs. Barren, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Burks, Burns, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Hearn, Jackson, Jinks, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Moore, McClusky, McCorvey, McQueen, Ott, Perry, Prowell, Rabb, Reaves, Robbins, Robinson, Rogers, Routon, Savage, Scarborough, Seale, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Whitten, Williams of Bullock, Wood—69.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bills, your signature thereto is requested.

s. 244. To appropriate the amount of the per diem for the term for which the late Hon. P. S. Holt was elected to serve as a member of the house of representatives from Macon county in this general assembly, which accrued prior to the date of the special election to fill the vacancy caused by his death, to the widow of said representative;

S. J. R. Referring the message of the governor of

November 17, 1894 in reference to the exchange of certain state bonds to the governor, attorney-general and secretary of state for investigation ;

s. 213. To relieve Maud W. Davidson of the disabilities of non-age.

#### SIGNING BILLS.

The speaker of the house in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set forth in the foregoing senate message.

FEBRUARY I, 1895

Mr. Speaker:

I have the honor to report that the following bills, which originated in the house have been approved : Nos. 47, 312, 505, 551, 674, 579, 363.

Very respectfully,

HARVEY E. JONES,  
Private Secretary.

FEBRUARY 1, 1895.

Mr Speaker:

In accordance with Joint resolution and by direction of the governor, I return herewith senate bill No. 30 for correction.

Very respectfully,  
HARVEY E. JONES,  
Private Secretary.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has adopted a joint resolution herewith sent, requesting the president of the senate and the speaker of the house to erase their signatures from the senate bill No. 30.

Also, has adopted the joint resolution herewith sent recalling from the governor the senate bill No. 46 for correcting the same.

W. L. CLAY,  
Secretary.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

In accordance with a joint resolution heretofore concurred in, the president of the senate has erased his signature from the senate bill No. 30, and the same is hereby transmitted to the house to enable you to erase your signature therefrom.

W. L. CLAY,  
Secretary.

## ERASURE OF SIGNATURE.

The speaker of the house erased his signature from senate bill 30.

Mr. Knight moved to reconsider the vote by which the senate bill 30

To regulate and prescribe the manner of electing the county commissioners of Bibb county, was passed.

Mr. Fuller moved to table Mr. Knight's motion, and Mr. Fuller's motion was lost—yeas 22, nays 44.

Yeas :

Messrs. Beasley, Brown of Conecuh, Cole, Coleman, Cook of Talladega, Deans, Ellis, Ewing, Fielding, Forman, Franklin, Gains, Harris, Jackson, Langley, Meadows, Mills, Bobbins, Savage, Taylor, Wheelless—22.

Nays :

Messrs. Speaker, Boykin, Brooks, Brown of Russell, Burks, Calhoun, Cameron, Curtis, Dale, Davis, Fletcher, Fuller, Fulton, Gibbons, Grant, Graves, Jinks, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Maples, Meador, Montgomery, Moore, McCorvey, McQueen, Ott, Patton, Perry, Prowell, Robinson, Rogers, Rowe, Seale, Smith of Butler, Tuck, Turner, Ward, Willett, Williams of Bullock, Wood—44.

Mr. Knight's motion to reconsider was carried.

Mr. Knight moved to reconsider the vote by which the bill was ordered to a third reading.

Mr. Fuller moved to table Mr. Knight's motion, and Mr. Fuller's motion was lost.

Mr. Knight's motion to reconsider the vote by which the bill was ordered to a third reading was then carried.

Mr. Knight moved an amendment to the bill, which was adopted.

Mr. Fuller moved to table the bill, and Mr. Fuller's motion was carried—yeas 43, nays 33.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Burks, Cole, Coleman, Cook of Talladega, Deans, Ellis, Ewing, Fielding, Forman, Franklin, Fuller, Gains, Harris, Hearn, Hill, Jackson, Kyle, Langley, Maples, Meadows, Mahan, Mills, Rabb, Reaves, Robbins, Rowe, Routon, Savage, Scarborough, Smith of Butler, Smith of Greene, Taylor, Tuck, Ward, Wheelless, Willett—43.

Nays:

Messrs. Boykin, Brown of Russell, Calhoun, Cameron, Curtis, Dale, Fletcher, Fulton, Gewin, Gibbons, Grant, Graves, John, Kelly, Kennedy, Knight, Lipscomb, Mayfield, Meador, Montgomery, Moore, McCorvey, Ott, Patton, Prowell, Roach, Robinson, Rogers, Seale, Smith of Greene, Turner, Williams of Bullock, Wood—33.

And the house adjourned till to-morrow morning, at 10 o'clock.

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### THIRTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,  
February 2, 1895.

House met pursuant to adjournment.  
Prayer by Rev. Mr. Bradford, of the city.

### REVISION OF THE JOURNAL.

The committee on revision of the journal reported the journal of yesterday in all respects correct.

### LEAVE OF ABSENCE.

Leave of absence was granted to Messrs. Burns, Ward, Mixon, Killebrew, Gibbons, Deans and Page James Ward until Monday, and Mr. Forman until Tuesday, and Mr. Wood for one day and Mr. Mastin until Tuesday.

Resolved, That no bill or resolution shall be made a special order for any hour of any day before the reports



from the standing committees are all made, unless the committee on rules shall have first so recommended.

Resolved, That rule 57 of this house be rigidly enforced, and if necessary an assistant door-keeper be employed at \$2 50 per day.

The above resolutions offered by Mr. John was read and referred to the committee on rules.

Whereas, we have heard with sincere and deep regret of the death of Hon. N. H. R. Dawson, the true patriot and useful citizen who adorned every position he filled.

In the private relations of life he maintained an integrity of character worthy of emulation in all respects ; on the floor of this house he was active in promoting the interest of the state, just and courteous; while speaker of this body, patient and impartial; and as United States Commissioner of Education, eminently efficient, reflecting credit upon himself, his state and country. And whereas in his death the state has sustained a loss beyond estimation, therefore

Be it resolved, That a page on the minutes of this house be devoted to his memory.

The above resolution by Mr. McQueen was referred to the committee on rules, and upon a favorable report was adopted.

#### UNFINISHED BUSINESS.

The house resumed consideration of

H. 156. To require insurance companies to pay full face value of all policies issued by them when property on which policy was issued, has been destroyed by fire, unless said property was fraudulently destroyed.

Mr. Willett moved the previous question on the amendment and the substitute, and the motion carried,

And Mr. Sanford's amendment as follows :

To amend by adding ;

That whenever there is a dispute between the assured and the insurance company, then an adjustment may be had and if a less sum is paid than the face value of the policy, then the premiums paid on the excess above the amount paid the assured shall be refunded him with interest; and in the event of litigation and a judgment is rendered for a less sum than the face value of the policy,

then the court shall add to said judgment the premiums, paid on the excess above the judgment to the full face value of the policy together with interest thereon,

Was lost,

And the substitute suggested by the committee, with title as follows :

H. 156. To regulate the issuance of fire insurance-policies, the payment of loss thereon, and to punish the fraudulent issuance or obtaining thereof,

Was adopted, and the bill was read a third time at length and passed—yeas 57, nays 15.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Ellis, Ewing, Fielding, Fleming, Fletcher, Fuller, Fulton, Gains, Gewin, Grant, Graves, Harris, Hearn, Hill, Jackson, Kennedy, Langley, Maples, Mastin, Mayfield, Meadows, Mills, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Reaves, Robbins, Rogers, Rowe, Scarborough, Smith of Greene, Taylor, Tuck, Turner, Wheelless, Willett, Williams of Henry, Wood—57.

Nays :

Messrs. Speaker, Brooks, Davis, John, Kelley, Knight, Kyle, Lipscomb, Montgomery, McClusky, Robinson, Sanford, Seale, Smith of Mobile, Williams of Bullock—15.

Mr. Willett moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Carried.

#### INTRODUCTION OF BILLS.

On a call of the counties bills were introduced, severally read one time and referred to appropriate committees as follows :

By Mr. Kelly—

H. 1136. To amend section 4511 of the code, Judiciary ;

By Mr. Franklin—

H. 1137. To refund to J. J. Wyatt of DeKalk county, Alabama, the sum of twenty three dollars and twenty

three cents paid by him to the State of Alabama, for the lands sold him by the state, which belonged at the time to the United States,

Appropriations ;

By Mr. Smith of Greene (by request)—

H. 1138. To compel holders or givers of Fairs to procure license for same,

Ways and means ;

By Mr. Knight—

H. 1139. To incorporate the West Alabama Real Estate and Immigration Association,

Corporations;

By Mr. Lipscomb—

H. 1140. To confer chancery jurisdiction on the circuit courts of Jefferson county holden at Birmingham and Bessemer in said county,

Revision of laws ;

By Mr. O'Brien—

H. 1141. To license and regulate the pursuit or calling of soliciting persons in Jefferson, Bibb, Walker and Blount counties- to enter into contracts for their labor,

Judiciary ;

Also (with petition)—

H. 1142. To amend section 3 and 9 of an act to enlarge an amend a charter under an act, approved January 26, 1891, establishing a charter for the town of Woodlawn, in Jefferson county, Alabama,

Corporations;

Also (with notice and proof) —

H. 1143. To confer additional powers upon the Birmingham Trust and Savings Company a body coaporate, incorporated under the general laws of the State of Alabama,

Corporations;

By Mr. Rowe—

H. 1144. To amend section 469 of the code of Alabama,

Ways and means ;

Also,

H. 1145. To provide for the settlement of claims or replacing of stock killed or damaged on Railroads by locomotives or cars,

Judiciary;

By Mr. Davis—

H. 1146. For the relief of Henry P. Oden,  
County and county boundaries ;

By Mr. Screws (by request)—

H. 1147. To prevent stock from running at large in  
certain portions of Montgomery county,

Local legislation;

By Mr. Langley (by request)—

H. 1148. To amend sub-division 2 of section 453 of  
the code of Alabama,

Ways and means ;

#### BILLS ON SECOND READING.

The chairmen of the several committees reported favorably on the following bills :

H. 320. To authorize the treasurer of the state of Alabama to pay all warrants which have been drawn by the auditor of said state on said treasurer on account of cost bills in penitentiary cases ;

H. 486. To authorize and require the county superintendent of education of Marshall county, Alabama, to disburse certain school funds belonging to township nine, range four, east, in Marshall county, Alabama;

H. 533. To amend an act entitled an act to establish an agricultural school and experiment station at Albertville, Alabama, Lebanon, Alabama, or Springville, Alabama, to be located by the governor, superintendent of education and commissioner of agriculture, which became a law on the 21st day of February, 1893 ;

H. 668. To authorize the people of Cherokee county to hold an election on the question of issuing bonds to build a free public bridge across Coosa river in said county, and to authorize the court of county commissioners to issue bonds for the same;

H. 699. To make it a misdemeanor for any person to hunt upon the lands of another without having first obtained the written consent of the owner thereof, in Jefferson county ;

H. 721. To amend section 3682 of the code of Alabama ;

H. 729. To authorize the quarantine board of Mobile Bay to compensate Thomas S. Scales for services as executive officer of said board ;

H. 782. To incorporate the town of Kennedy, in Lamar county, Alabama;

H. 810. To confirm the incorporation of the Twickenham Club of Huntsville, Alabama, and to enlarge the powers and capacities of said club ;

H. 819. To confer chancery jurisdiction on the circuit courts in the counties of Morgan, Madison and Limestone ;

H. 826. To establish a separate school district to be known as the Summit school district in Blount county ;

H. 863. To regulate the issuing of certificates to teach in the public schools of Alabama ;

H. 882. To fix the liability of persons, firms, companies, corporations and associations insuring property against loss by fire, water, storm or other casualty in certain cases ;

H. 892. To amend section 2 of an act entitled an act to constitute the town of Warrior a separate school district, approved February 17, 1885;

H. 899. To create a separate school district in Cherokee county, Alabama, and to define the boundaries thereof ;

H. 911. To provide for the extension of stock law in Coosa county;

H. 912. To establish a separate school district in Coosa county in this state ;

H. 913. To incorporate the town of Charlton, in the county of Dale and state of Alabama;

H. 931. To authorize the sale of certain lands donated to the North East Alabama Agricultural Experiment Station and School at Albertville ;

H. 936. To create a separate school district of Daviston, in beat 17, T. 24, R. 24, in Tallapoosa county, Alabama ;

H. 937. To incorporate the board of trustees of Stillman Institute at Tuscaloosa, Alabama, for training colored ministers of the gospel;

H. 942. To establish a branch agricultural experiment station and agricultural school at Jackson, Clarke county, Alabama;

H. 957. To incorporate the Planters Warehouse and Commission Company in the county of Greene ;

H. 958. To repeal an act entitled an act to constitute

the town of Alco, in Escambia county, Alabama, as a separate school district, approved February 27, 1889;

H. 996. To establish a separate school district to be known as the Joppa school district in Cullman county, Alabama;

H. 998. To regulate the fine and forfeiture fund in the county of Fayette;

H. 1018. To incorporate the Southern Mutual Life Insurance Company of Alabama ;

H . 1025. To authorize the commissioners court of Lee county to levy a tax for working the public roads of said county, and to let out said roads by contract;

H. 1032. To amend section 3 of an act entitled an act to amend the caption and sections one (1) and eight (8) of an act entitled an act to prevent horses, mules, asses, cows, hogs, sheep and goats from running uncontrolled on crops in beat No. 5 and beat No. 8, in Butler county, and to prescribe a rule of damages and rules of protection in the trial of cases under this act, approved February 5th, 1891;

H. 1055. To amend sub-division 5 of section 26 of an act to establish a new charter for the city of Calera, approved February 21, 1893;

H. 1052. To amend section 1418 and 1423 of the code of Alabama;

H. 1071. To amend section three (3) of an act entitled an act to prevent horses, mules, asses, cows, hogs, sheep, or goats from running uncontrolled on crops in beat No. 5, beat No. 10, and in all that part of beat No. 7 described as follows, and included within the following boundary line, to-wit: Beginning at the boundary line between Butler and Lowndes counties near the residence of Mrs. Anna Bush, and running south and taking the farms of Mrs. Anna Bush and James Barganier; thence running east taking in the farms of John Cheatham, Daniel Talley, J. T. Sanders, Henry Harrison, W. H. Zeigler, and William Glover, and intersecting the stock law lines of beat No. 5 near William Glover's, the said described territory being all of said beat No. 7 north of said described line in the county of Butler, and to prescribe a rule of damages and rules of protection in the trial of cases under this act, and to provide for fencing around said beats No. 5, 10 and fractional

part of beat No. 7 in said county of Butler, approved February 5th, 1891;

H. 1080. To confer chancery jurisdiction on the Bessemer Division of the circuit court of Jefferson county, holden at Bessemer, Alabama ;

H. 1085. To establish a separate school district to be known as Ausley school district in Pike county;

s. 265. To confirm the incorporation of the Twickenham Club of Huntsville, Alabama, and to enlarge the powers and capacities of said club ;

s. 191. To regulate the holding of the circuit court for Randolph county;

s. 200. To incorporate the Huntsville Primitive Baptist Graded and Industrial school;

s. 220. To establish a separate school district to be known as the Mount Zion School District in Cullman county, Alabama;

s. 225. To establish Pintlala School District in Lowndes county;

s. 260. To amend an act to establish the George N. Gilmer School District in Lowndes county, approved 14th February, 1887;

s. 266. To establish a charter for the city of Fruit-hurst, in Cleburne county, Alabama;

s. 269. To incorporate the town of Spio, in Henry and Barbour counties, in the state of Alabama, and provide a government for the same ;

s. 294. To fix the time of holding the chancery courts in the counties of Pike, Coffee and Geneva ;

s. 317. To require the superintendent of Faunsdale School District to pay the teachers monthly ;

s. 326. To amend section 535 of the code of Alabama, so far as the same relates to Randolph county.

The above and foregoing bills, were severally read a second time, and placed on the calendar.

H. 882. Was returned by the committee on corporations and referred to banking and insurance;

H. 1031. Was returned by committee on education and referred to a special committee of the delegation from Barbour county;

H. 1130. Was returned and referred to committee on judiciary;

H. 958. Was returned by committee on local legislation and referred to the committee on judiciary;

H. 807, 885. Were taken from adverse report and returned to committee on corporations.

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To the House of Representatives,

Gentlemen—In compliance with your resolution requesting me to furnish you with information "concerning the number, and compensation of solicitors of the several courts of the state who are paid by the state—other than circuit solicitors," I submit herewith a report from the attorney-general which contains much valuable information.

There are now twelve circuit solicitors paid a salary out of the state treasury of twenty-four hundred dollars each per annum aggregating. .... \$38,800

They are also allowed by law to earn each six hundred dollars more, which if earned, would aggregate..... \$ 7,200

The law allows a solicitor for each county to be compensated by fees earned to the extent of five hundred dollars each per annum. In some counties they perhaps do not make that sum. If made in all the counties that would aggregate..... \$33,000

There are nine city and county courts in which the solicitors are paid independently of the circuit solicitors out of fees earned in those counties aggregating over. .... \$20,000

Thus it will be seen that the solicitors of all classes are allowed by law to earn in fees and salaries in the aggregate annually. ....\$87,000

A good solicitor to prosecute crime is essential to its suppression but there seems to be a greater number under our present system than is necessary. From the return of solicitors fees collected and paid into the treasury, the state seems to be doing a losing business in this respect.

This results of course from the number of local courts and counties which give all the fees earned to their solicitors and those which have a larger income in fees than will pay their solicitors under their special acts



cover the excess into the county treasuries, so that the state derives nothing therefrom. There seems to be a necessity for some reform in this respect.

The aggregate salaries of the twelve circuit judges is but \$30,000. I am decidedly in favor of increasing the the number of circuits and the frequency of the terms of court to be held therein, and of course a corresponding increase in the number of solicitors and diminution in the number of local courts and local solicitors in counties and cities in which there is not an absolute necessity for their retention.

These changes in our judiciary system I regard as absolutely necessary to its effectiveness and to carry out the guarantees of the constitution to the people.

WILLIAM C. OATES,  
Governor.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended as therein shown, and as amended, has passed the house bills,

H. 60. For the relief of M. P. Johuson of Washington county;

H. 821. To provide for the calling and holding of meetings of stockholders of railroad corporations in certain cases, and regulating the voting, the election of officers and the transaction of other business at such meetings;

And has passed the house bills,

H. 485. To appropriate the sum of eleven hundred and sixty-three dollars and twenty cents to meet the deficiency in the appropriation for per diem and mileage of members, officers and employes of the general assembly, at the session of 1892-93 and to ratify the action of the auditor and treasurer in paying out the same;

H. 207. To repeal an act to abolish the office of tax collector in the counties of Baldwin, Escambia and Sanford so far as the same relates to Baldwin county ;

And has adopted joint resolution herewith sent:

Requesting the president of the senate and the speaker of the house to erase their signatures from the house-bill No. 322;

And has originated and passed the following bills :

s. 80. To amend section 4 of an act entitled an act to establish a branch agricultural experiment station and agricultural school in southwest Alabama, approved February 21st, 1893 ;

S.311. To authorize the Vankirk Land & Construction Company to borrow money and secure its payment;

s. 330. For the relief of T. S. Moore of Baldwin county, Alabama;

s. 332. To make appropriation for additional clerical help in the state auditor's office ;

s. 333. To authorize the city of Mobile to build or otherwise acquire a system of water works and operate the same ;

s. 377. To amend the charter of the city of Birmingham, so as to authorize the mayor and aldermen to impose a license tax on all policies of fire insurance, taken out on property in said city, for the purpose of maintaining a fire department in said city ;

s. 380. To authorize the mayor and aldermen of Birmingham to issue bonds of said city to fund and retire the outstanding bonded indebtedness of said city, and establish a reformatory and work farm and to purchase and establish an electric police alarm in said city ;

s. 304. Relating to the killing of stock by railroads in this state.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees, as follows :

To agriculture, s. 80 ;

To judiciary, s. 311;

To local legislation, s. 330 ;

To appropriations, s. 332 ;

To corporations, s. 333, 377, 380;

To commerce and common carriers, s. 304;

And the house concurred in the senate joint resolution, requesting the speaker of the house and the president of the senate to erase their signatures from H. 322 ;

And the house concurred in the senate amendment to

H.60. For the relief of M. P. Johnson, of Washington county;

Yeas 56, nays 0.

Yeas :

Messrs. Speaker, Bellinger, Brown of Russell, Burks, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Grant, Graves, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Reaves, Roach, Robinson, Rowe, Sanford, Seale, Taylor, Tuck, Turner, Wheelless, Willett, Williams of Bullock—56.

Mr. Willett moved to concur in the senate amendment to

H. 821. To provide for the calling and holding of meetings of stockholders of railroad corporations in certain cases, and regulating the voting, the election of officers and the transaction of other business at such meetings ;

Mr. O'Brien moved to table Mr. Willett's motion, and Mr. O'Brien's motion was carried.

Yeas 46, nays 25.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cole, Cook of Talladega, Ewing, Fletcher, Franklin, Fulton, Gains, Graves, Harris, Hearn, Jackson, John, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Meador, Meadows, Mahan, Mills, Moore, O'Brien, Patton, Perry, Reaves, Roach, Routon, Savage, Seale, Summers, Turner, Wheelless—46.

Nays:

Messrs. Speaker, Cook of Wilcox, Curtis, Dale, Davis, Fielding, Fleming, Fuller, Gewin, Grant, Hill, Mayfield, Montgomery, McClusky, McCorvey, McQueen, Rand, Robbins, Robinson, Rowe, Sanford, Smith of Greene, Smith of Mobile, Tuck, Willett, Williams of Bullock—25.

Mr. O'Brien then moved to table the bill and amendment, and Mr. O'Brien's motion was carried.

Yeas 46, nays 25.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Bellinger,

Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cole, Cook of Talladega, Ewing, Fletcher, Franklin, Fulton, Gains, Graves, Harris, Hearn, Jackson, John, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Meador, Meadows, Mahan, Mills, Moore, O'Brien, Patton, Perry, Rand, Routon, Savage, Seale, Summers, Turner, Wheelers—46.

Nays:

Messrs. Speaker, Cook of Wilcox, Curtis, Dale, Davis, Fielding, Fleming, Fuller, Gewin, Grant, Hill, Mayfield, Montgomery, McClusky, McCorvey, McQueen, Rand, Robbins, Robinson, Rowe, Sanford Smith of Greene, Smith of Mobile, Tuck, Willett, Williams of Bullock—25.

And the house concurred in the senate amendment to H. 189. To define the corporate limits of the city of Birmingham, in the State of Alabama,

Yeas 63, nays 0.

Yeas :

Messrs. Speaker, Banks, Barron, Beasley, Beeson, Bellingier, Boykin, Brown of Russell, Burks, Coleman, Dale, Davis, Deans, Fleming, Fletcher, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Harris, Jackson, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Meadows, Mahan, Mills, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Patton, Perry, Reaves, Roach, Robinson, Rogers, Routon, Sanford, Scarborough, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Wheelers, Whitten, Willett—63.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

The committee on enrolled bills have examined the following bills and found them correctly enrolled :

H. 46. To provide for the compensation of the county solicitor for Tuscaloosa county ;

H. 273. To amend section 3091 (3496) of the code of Alabama of 1886 ;

H. 485. To appropriate the sum of eleven hundred and sixty-three dollars and twenty cents to meet the deficiency in the appropriation for per diem and mileage of members, officers and employes of the general assem-

bly, at the session of 1892-93 and to ratify the action of the auditor and treasurer in paying out the same ;

H. 676. To amend an act entitled an act to better provide for keeping up the public roads of Escambia county, which became a law February 15th, 1895 ;

H.207. To repeal an act to abolish the office of tax collector in the counties of Baldwin, Escambia and Sanford, so far as the same relates to Baldwin county.

J. H. MONTGOMERY,  
Chairman.

#### SIGNING BILLS.

The speaker of the house, in the presence of the house, and immediately after their titles had been publicly read by the clerk, signed the bills, whose titles are set out in the foregoing report of the committee on enrolled bills.

#### BILLS ON THIRD READING.

H . 469. To allow county commissioners in each county to appropriate a sufficient sum to pay armory rent for military companies located in their respective counties,

Was read a third time, at, length, and passed—yeas 37, nays 30.

Yeas:

Messrs. Speaker, Boykin, Brown of Russell, Calhoun, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Fletcher, Fulton, Graham, Hill, John, Kelly, Kyle, Lipscomb, Mayfield, Montgomery, Moore, McCorvey, McQueen, O'Brien, Patton, Perry, Prowell, Robinson, Rowe, Banford, Seale, Smith of Mobile, Tuck, Turner, Willett, Williams of Bullock, Williams of Henry, Wood—37.

Nays :

Messrs. Beeson, Bellinger, Burks, Cameron, Cole, Coleman, Cook of Wilcox, Ellis, Ewing, Fielding, Franklin, Fuller, Gains, Graves, Harris, Hearn, Kennedy, Knight, Langley, Mastin, Meadows, Mills, Ott, Reaves, Robbins, Savage, Seale, Smith of Greene, Summers, Taylor, Wheeless—30.

H. 470. To make an appropriation for the expense of the encampment of the Alabama state troops for the years 1895 and 1896,

Was read a third time, at length, and passed—yeas 48, nays 32.

Yeas:

Messrs. Speaker, Barren, Boy kin, Brooks, Brown of Russell, Calhoun, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Fletcher, Fulton, Gewin, Grant, Graves, John, Kelly, Knight, Kyle, Lipscomb, Maples, Mayfield, Meador, Mahan, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Patton, Perry, Prowell, Rand, Roach, Robinson, Rowe, Sanford, Scarborough, Smith of Greene, Smith of Mobile, Tuck, Turner, Willett, Williams of Bullock, Williams of Henry, Wood—48.

Nays:

Messrs. Banks, Beasley, Beeson, Bellinger, Brown of Conecuh, Burks, Cameron, Cole, Coleman, Cook of Talladega, Deans, Ellis, Ewing, Franklin, Fuller, Gains, Harris, Hearn, Jackson, Kennedy, Langley, Mayfield, Meadows, Mills, Ott, Reaves, Robbins, Routon, Savage, Taylor, Wheelless—32.

Mr. McQueen moved to reconsider the vote by which the bill was passed and to lay that motion on the table—Carried.

And the bill was ordered forthwith to the senate without engrossment.

H. 471. To authorize the surgeon of each regiment of state troops to purchase the necessary medicine, bandages, surgical instruments, etc., for the troops while in active service,

Was read a third time, at length, and passed—yeas 54, nays 5.

The amendment suggested by the committee was adopted,

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Cook of Wilcox, Curtis, Dale, Davis, Ewing, Fleming, Franklin, Fuller, Fulton, Gewin, Grant, Graves, Jackson, John, Kelly, Kennedy, Knight, Langley, Lipscomb, Maples, Mayfield, Meadows, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rand, Roach, Robinson, Rowe, Sanford, Smith of Greene, Smith of Mobile, Summers,

Tuck, Turner, Willett, Williams of Bullock, Williams of Henry—54.

Nays:

Messrs. Burks, Cole, Coleman, Hearn, Kyle—5.

H. 468. To increase the number of majors in the regiment of state troops to three,

Was read a third time, at length, and passed—yeas 49, nays 6.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Brooks, Brown of Russell, Burns, Calhoun, Cameron, Cook of Wilcox, Dale, Davis, Fleming, Fletcher, Fulton, Gewin, Grant, Graves, John, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Meadows, Mahan, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Perry, Prowell, Rand, Roach, Robinson, Rowe, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Whitten, Williams of Bullock—49.

Nays :

Messrs. Burks, Cook of Talladega, Fielding, Harris, Hearn, Smith of Butler—6.

s. 199. To amend sections six, eleven, fifteen, twenty-one, twenty-five, thirty-four, forty, and fifty-one of an act entitled an act to amend an act entitled an act to incorporate the Port of Mobile, and to provide for the government thereof, approved December 10, 1886,

Was amended, and as amended was read a third time, at length, and passed—yeas 68, nays 0.

Yeas :

Messrs. Speaker, Banks, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Harris, John, Kelly, Killebrew, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Mixon, Montgomery, Moore, McClusky, McCorvey, O'Brien, Patton, Prowell, Rand, Reaves, Roach, Robinson, Rogers, Routon, Sanford, Savage, Scarborough, Screws, Smith of Greene, Smith of Mobile, Summers, Taylor, Turner, Wheelless, Williams of Bullock, Williams of Henry, Wood—68.

H. 1020. To regulate defenses to action on policies of life insurance,

Was read a third time, at length, and passed—yeas 52, nays 8.

Yeas :

Messrs. Speaker, Beeson, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Franklin, Fuller, Fulton, Gewin, Grant, Graves, Harris, Hearn, Hill, Jackson, John, Kyle, Langley, Lipscomb, Mayfield, Meadows, Mills, Mixon, McCorvey, O'Brien, Ott, Patton, Prowell, Rand, Roach, Robinson, Rowe, Sanford, Screws, Seale, Smith of Greene, Turner, Wheeless, Williams of Bullock, Williams of Henry—52.

Nays:

Messrs. Barren, Boykin, Brooks, Kelly, Moore, Robinson, Scarborough, Smith of Mobile—8.

And the house adjourned till 10 o'clock a. m. to-morrow.

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### THIRTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,  
February 4, 1895.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Howell, of Cleburne.

A quorum was present.

### LEAVE OF ABSENCE.

Was granted to Messrs. Fulton and Montgomery for one day ; to Mr. Bellinger indefinitely ; to Mr. Cole for two days; to Mr. Gewin for to-day and to-morrow; to Messrs. Routon and Fletcher for to-day; to Page Jack Turner for one day.

### REVISION OF JOURNAL.

The committee on the revision of the journal reported the journal of yesterday correct.



## INTRODUCTION OF BILLS.

On a call of the committees bills were introduced, severally read one time and referred to appropriate committees as follows :

By Mr. Kelly (by request)—

H. 1149. To amend section 3296 of the code,  
Revision of laws ;

By Mr. Bobbins—

H. 1150. To provide that the money obtained from the sale of fertilizer tags, to dealers in fertilizers, in the county of Coosa, be paid into the public school fund of said county,

Agriculture ;

Also,

H. 1151. To reduce the fines of defaulting road apportioners, and overseers in this state,

Public roads and highways ;

By Mr. Taylor—

H. 1152. To fix the time for holding circuit court in the counties of Clay and Cleburne,

Judiciary;

By Mr. O'Brien—

H. 1153. To confirm the incorporation of the Birmingham Dental College and to enlarge the powers of said college,

Corporations;

Also,

H. 1154. To confirm the incorporation of the Birmingham Medical College and to enlarge the powers of said college,

Education ;

By Mr. John (with petition)—

H. 1155. To change the boundary between Shelby and Jefferson counties,

Counties and county boundaries ;

By Mr. Brooks—

H. 1156. To prevent the sale of spirituous, vinous or malt liquor, or intoxicating drinks, bitters or beverages, on Sunday, or allowing same, or any part thereof to be drunk on the premises on such day,

Temperance;

By Mr. Camp—

H. 1157. To amend an act to establish a new charter for the city of Talladega, approved February 28th, 1887, Talladega delegation;

By Mr. Gaines—

H. 1158. To fix the time and define the terms for holding the circuit courts in the several counties of the tenth judicial circuit,

Judiciary;

By Mr. Prowell (with notice and proof) —

H. 1159. To allow the sale of spirituous, vinous or malt liquors on the Griffin Place, on the Spring Hill road, in Marengo county,

Temperance;

By Mr. Clark (with notice and proof)—

H. 1160. For the relief of E. F. Bedsole, Appropriations;

By Mr. Killebrew—

H. 1161. To establish a State Weather Service for Alabama,

Agriculture,

By Mr. Smith, of Autauga—

H. 1162. To fix the time for holding the circuit court in the counties composing the 5th judicial circuit in the State of Alabama,

Judiciary;

By Mr. Wood—

H. 1163. To authorize the town council of Tuskegee to issue bonds,

Local legislation;

By Mr. Mayfield—

H. 1164. To create the 14th judicial circuit, to confer equity jurisdiction in the courts to be held in said circuit, and to fix the time for holding the courts therein, and to provide for the appointment and election of a judge and a solicitor for said circuit, and to fix the salary of such judge and solicitor, and prescribe the manner in which the same shall be paid,

Judiciary;

By Mr. Meador—

H. 1165. To instruct the auditor of the State of Alabama to draw his warrant on the state-treasurer for the amount due the late James Taylor Jones as salary as judge of the first judicial circuit, up to the time of his

death in favor of Virginia M. Jones relict of the said Judge Jones,

Appropriations ;

By Mr. Manning—

H. 1166. To provide for the payment of compensation to the county registrar of Clay county,

Revision of laws.

#### BILLS ON SECOND READING.

The chairmen of the several committees, reported favorably on the following bills :

H. 972. To prevent stock from running at large in sections 31, 32, 29, and west half ( $\frac{1}{2}$ ) of 28, township 18, range 24, in Macon county;

H. 1011. To prevent stock from running at large in a certain portion of Macon county ;

H. 1031. To establish a board of revenue for Barbour county;

H. 1066. To establish an agricultural school and experiment station at Springville, in St. Clair county;

H. 1053. To prohibit the sale, giving away of vinous, malt or spirituous liquors or other intoxicating bitters, within three miles of St. John's Baptist Church, in Pike county, Alabama;

H. 1054. To require license of emigrant agents doing business in this state;

H. 1093. To prohibit the sale, giving away, or otherwise disposing of any spirituous, vinous or malt liquors, intoxicating drinks or beverages, or fruits preserved in alcoholic liquors, within precinct No. eight, in Bullock county, Alabama;

H. 1106. To establish a county school book board to select a uniform series of text books for use in the public schools of the county of Cherokee, State of Alabama;

H. 1132. To prescribe the amount to be paid for the use of the seal of the state, upon commissions issued<sup>^</sup> to officers, and upon warrants of arrest issued upon any requisition of another state ;

s. 173. To amend an act entitled an act to incorporate the city of Columbia, in the county of Henry, approved February 21, 1893;

s. 224. To amend sections 3, 5, 6, 7, 10, 11, 12, 15,

17, 18, 24, 27, 35, 37, 38, 42, 52, 53, 54, 55, 57, 59, 60, 61, 62, 65, 66, 71, 73, 77, 78, 79, 81, 83, 84, 85, and 96, and to repeal section 82 of an act to, establish a new charter for the city of Montgomery, approved February 21, 1893;

s. 298. To incorporate the Madison High School, in Madison county, Alabama;

s. 250. To amend section ten of an act entitled an act to constitute the city of Anniston a separate school district, and to provide a board of education therefor, approved January 28, 1891,

(With amendment) ;

s. 270. To create a separate school district in Dale and Coffee counties, Alabama, to be known as Hatchers School District, and to define the boundaries thereof;

s. 311. To authorize the Van Kirk Land and Construction Company to borrow money and secure its payment ;

H. 1084. To confer upon the city council of Montgomery, the right to buy and sell real estate ;

H. 1092. To authorize the city council of Montgomery to issue bonds for the purpose of paving or otherwise improving the streets and side-walks, or either, of the city of Montgomery,

H. 807. To incorporate the Autauga Manufacturing Co., in Autauga county, Alabama.

The above and foregoing bills were severally read a second time, and placed on the calendar.

#### BILLS ON THIRD READING.

H. 281, To provide for the appointment of a county solicitor for Washington county, prescribe his duties, fees and term of office, to fill vacancies in the office and the appointment of county solicitor pro tern, and their fees,

Was read a third time at length and passed—yeas 68, nays 0.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ewing, Fleming,

Fletcher, Franklin, Fulton, Gains, Graham, Grant, Graves, Harris, John, Killebrew, Kyle, Langley, Lipscomb, Maples, May field, Meador, Meadows, Mills, Mixon, Montgomery, Moore, McCluskey, McCorvey, McQueen, O'Brien, Ott, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Savage, Scarborough, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Wood- 68.

s. 229. To fix the times and regulate the holding of the courts in the eighth judicial circuit of the state of Alabama;

Was read a third time, at length, and passed—yeas 61, nays 0.

Yeas :

Messrs. Speaker, Banks, Beasley, Beeson, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ewing, Fielding, Fletcher, Franklin, Fuller, Fulton, Graham, Grant, Graves, Jinks, John, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Meadows, Mahan, Mixon, Montgomery, McClusky, McQueen, O'Brien, Ott, Patton, Perry, Rabb, Reaves, Roach, Robbins, Robinson, Rowe, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Taylor, Tuck, Ward, Wheelless, Williams of Bullock, Wood—61.

H. 805. To define and punish blackmailing,

Was read a third time at length, and passed—yeas 59, nays 0.

Yeas :

Messrs. Speaker, Beasley, Beeson, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fleming, Fletcher, Fuller, Gains, Gibbons, Graham, Grant, Harris, Jackson, Jinks, John, Killebrew, Kyle, Langley, Maples, Mayfield, Meadows, Mahan, Mills, Mixon, Moore, McClusky, McQueen, Ott, Perry, Prowell, Rabb, Reaves, Roach, Robbins, Robinson, Rowe, Routon, Sanford, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile<sup>1</sup>, Tuck, Ward, Wheelless, Williams of Bullock, Wood—59.

H. 728. For the relief of Margaret R. Randall, wife of Dudley C. Randall, M. D., deceased,

Was amended, read a third time at length,

And,

Mr. Tuck, moved to table the bill, and Mr. Tuck's motion was lost.

Yeas 21, nays 48.

Yeas :

Messrs. Beasley, Brown of Russell, Burks, Burns, Coleman, Cook of Talladega, Fuller, Harris, Hearn, Hill, Kelly, Killebrew, Maples, Mixon, Perry, Scarborough, Summers, Tuck—21.

Nays:

Messrs. Barren, Beeson, Boykin, Brooks, Calhoun, Cameron, Cook of Wilcox, Dale, Ewing, Fleming, Fletcher, Graham, Jackson, Jinks, John, Kennedy, Knight, Kyle, Langley, Lipscomb, Mayfield, Meador, Meadows, Mahan, Moore, McClusky, McCorvey, O'Brien, Ott, Patton, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Turner, Wheelless, Wood—48.

And the bill was passed.

Yeas 49, nays 14.

Yeas:

Messrs. Beeson, Boykin, Brooks, Burks, Calhoun, Cameron, Cook of Wilcox, Dale, Davis, Ewing, Fleming, Fletcher, Gains, Graham, Grant, Graves, Jackson, Jinks, John, Kennedy, Knight, Kyle, Langley, Lipscomb, Meador, Meadows, Mahan, Mixon, Moore, McClusky, Ott, Patton, Perry, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Seale, Smith of Autauga, Smith of Butler, Smith of Mobile, Taylor, Wheelless, Wood—49.

Nays:

Messrs. Beasley, Brown of Russell, Burns, Camp, Coleman, Cook of Talladega, Curtis, Franklin, Fuller, Hearn, Kelly, Killebrew, Scarborough and Tuck—14.

s. 131. To amend section four of an act entitled an act to authorize the increase of the capital stock and bonded indebtedness of private corporations organized under special charter, approved December 10, 1890,

Was read a third time at length and passed—yeas 55, nays 0.

Yeas:

Messrs. Barren, Beeson, Boykin, Brooks, Brown of

Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Fletcher, Franklin, Fuller, Grant, Graves, Harris, Jackson, Jinks, John, Kelly, Killebrew, Langley, Maples, Mastin, Mayfield, Meadows, McClusky, McCoryey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Ward, Wheelless, Wood—55.

s. 241. To provide for repairing the macadamized roads in Colbert county,

Was read a third time at length and passed—yeas 64, nays 0.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Ellis, Ewing, Fleming, Fletcher, Franklin, Fuller, Fulton, Gewin, Graham, Grant, Graves, Hearn, John, Kelly, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Meadows, Mahan, Mills, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Wheelless, Williams of Bullock, Wood—64.

H. 342. To establish a charter for the town of Seawright, in Crenshaw county, Alabama,

Was amended, read a third time, at length,

And, on motion of Mr. Rabb, the vote by which the bill was ordered to a third reading was reconsidered, and the bill was informally passed over without losing its place on the calendar.

H. 366. To amend an act to require all corporations to pay a fee or license for the use of the state before commencing business in this state, approved February 18th, 1893,

Was amended, read a third time at length and passed --yeas 63, nays 0.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Brooks, Brown of Conecuh, Brown of Russell, Burks,

Calhoun, Cameron, Camp, Cook of Wilcox, Dale, Ellis, Ewing, Fielding, Fleming, Fletcher, Franklin, Fuller, Gewin, Graham, Grant, Graves, Harris, Jackson, John, Kelly, Kennedy Killebrew, Knight, Kyle, Langley, Lipscomb, Mastin, Mayfield, Meadows, Mahan, Mixon, Montgomery, McCorvey, McQueen, O'Brien, Ott, Perry, Prowell, Reaves, Roach, Robinson, Rogers, Rowe, Routon, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Taylor, Wheelless, Willett, Williams of Bullock, Wood—63.

H. 267. Prohibiting the sale or giving away of any-spirituos, vinous or malt liquors within one mile of Coffee Springs camp grounds, in Geneva county.

Mr. Mayfield moved to amend by including in the title and body of the bill within five miles of Bethelberry church in Tuscaloosa county.

Mr. Wood moved to amend by including in the title and body of the bill within four miles of Neal's Chapel in Macon county.

The title and body of the bill were further amended so as to include "within three miles of Baptist church, Jenifer, Talladega county; and within five miles of Friendship Baptist church in Elmore county."

And the bill was read a third time, at length, and passed—yeas 64, nays 0.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Graham, Grant, Graves, Harris, Hearn, Jackson, Jinks, John, Kennedy, Kyle, Langley, Lipscomb, Meador, Meadows, Mahan, Mixon, Montgomery, McClusky, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robbins, Rowe, Routon, Sanford, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Williams of Bullock, Wood—64.

H. 279. To prevent the running at large in the state of Alabama, of rabid dogs or dogs bitten or supposed to have been by a rabid dog,

Was read a third time, at length, and passed—yeas, 65, nays 0.



Yeas:

Messrs. Speaker, Banks, Barron, Beasley, Beeson, Boykin, Brown of Conecuh, Burns, Cameron, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Fleming, Forman, Franklin, Fuller, Gibbons, Graham, Grant, Graves, Hearn, Hill, Jackson, Jinks, John, Kennedy, Kyle, Langley, Lipscomb, Maples, Mastin, Meador, Meadows, Mahan, Montgomery, McClusky, McCorvey, McQueen, Perry, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Routon, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Luck, Turner, Ward, Wheelless, Whitten, Willett, Williams of Bullock, Wood—65.

H. 128. To provide a penalty against any county court judge or judge of any county court for failure to hold court, and to prescribe how such penalty shall be enforced,

Was read a third time, at length, and passed—yeas 53, nays 3.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Bellinger, Boykin, Brown of Conecuh, Burks, Calhoun, Cole, Dale, Davis, Ewing, Fielding, Fleming, Fletcher, Graham, Grant, Hill, Jackson, John, Kelly; Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Mahan, Mills, Mixon, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rabb, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Wood—53.

Nays:-

Messrs. Brown of Russell, Coleman, Franklin—3.

H. 285. To authorize persons engaged in surveys provided for by laws of the congress of the United States, to enter on lands within this state for the purpose of said surveys, to protect the operations of the same from injury and molestation, to prescribe the mode of assessing damages caused to any property in the progress of the same, and to provide for the punishment of offenders against the provisions of this act and for other purposes,

Was read a third time, at length, and passed—yeas 58, nays 0.

49 h

Yeas:

Messrs. Barren, Boykin, Brooks, Brown of Russell, Burks, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fletcher, Franklin, Fuller, Graham, Grant, Graves, Harris, Hearn, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Mayfield, Meadows, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Turner, Wheelless, Wood—58.

H. 313. To make certain municipal ordinances or by-laws evidence without further proof,

Was read a third time, at length, and passed—yeas 60, nays 1.

Yeas :

Messrs. Speaker, Barren, Beeson, Boy kin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, For-man, Franklin, Graham, Grant, Graves, Harris, Jinks, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Mayfield, Meador, Meadows, Mahan, Mixon, Mont-gomery, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Roach, Robbins, Robinson, Rowe, Sanford, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Turner, Wheelless, Wood—60.

Nays :

Mr. Coleman—1.

H. 316. To amend section 3613 of the code of Ala-bama,

Was read a third time, at length, and passed—yeas 61, nays 0.

Yeas :

Messrs. Barren, Beasley, Beeson, Boykin, Brooks, Brown of Russell, Burks, Cameron, Cole, Cook of Talla-dega, Curtis, Dale, Davis, Deans, Ewing, Fleming, Fletcher, Fuller, Gains, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jinks, Kelly, Kennedy, Kille-brew, Knight, Kyle, Langley, Lipscomb, Maples, May-field, Meadows, Mahan, McClusky, McCorvey, Mc-Queen, O'Brien, Ott, Patton, Perry, Prowell, Rabb,

Hand, Reaves, Roach, Rowe, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Wheelless, Wood-61.

H. 368. To amend section 558 of the code,  
Was read a third time, at length, and passed—yeas 63,  
nays 0.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Boykin, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cook of Talladega, Dale, Deans, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jinks, John, Kelly, Knight, Kyle, Langley, Lipscomb, Maples, Mayneld, Meador, Meadows, Mills, Mixon, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Routon, Sanford, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Wheelless, Williams of Bullock, Wood—63.

H. 306. To amend sections 2, 3, 4, 5, 7 and 8 of an act to constitute the city of Gadsden a seperate school district, approved February 28th, 1889,

Was read a third time, at length, and passed—yeas 64,  
nays 0.

Yeas :

Messrs. Speaker, Barren, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Deans, Fleming, Fletcher, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Harris, Hearn, Hill, Jackson, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Mixon, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Rabb, Rand, Roach, Robbins, Robinson, Rowe, Routon, Sanford, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Tuck, Wheelless, Wood—64.

H . 286. To regulate the practice of quarantine in Alabama,

Was amended, read a third time at length and passed—yeas 61, nays 0.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Boykin,

Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deans, Ewing, Fletcher, Forman, Franklin, Fuller, Fulton, Graham, Harris, Hearn, Jackson, Jinks, John, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Keaves, Roach, Robinson, Rogers, Rowe, Sanford, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Wheelless, Wood-61.

And the bill was ordered forthwith to the senate without engrossment.

s. 188. To repeal sections nine and ten of an act of the general assembly of Alabama, approved February 19, 1883, and entitled an act to incorporate the Bienville Water Supply Company,

Was amended read a third time at length and passed—yeas 60, nays 7.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Calhoun, Cameron, Camp, Cook of Wilcox, Curtis, Dale, Davis, Fielding, Fleming, Fletcher, Fuller, Graham, Grant, Jinks, Kennedy, Knight, Maples, Meador, Meadows, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Seale, Smith of Autauga, Smith of Greene, Tuck, Tamer, Williams of Bullock—50.

Nays :

Messrs. Brown of Russell, Ellis, Franklin, Harris, John, Taylor and Wheelless—7.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended, as therein shown, and, as amended, has passed the house bills :

H. 545. To regulate the fine and forfeiture fund of Barbour county and the disposal of moneys arising from fine, forfeiture, and convict labor ;

H. 765. To create a separate school district in the

town of Brewton, Alabama, to define its boundaries, and provide for the maintenance of schools therein ;

And has passed the house bills :

H. 283. To establish a seperate school district in Winston county, to be known as the Poplar Spring school district;

H. 282. To establish a seperate school district to be known as the Freeman school district in Winston county, Alabama;

H. 822. To amend an act, entitled an act to amend section 141 of the code of Alabama, approved December 12th, 1892.

H. 511. For the relief of John S. Oldham arid George H. Bodeker and to authorize and require the city of Birmingham to pay them for services as police sergeants.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The house concurred in the senate amendments to

H. 545. To regulate the fine and forfeiture fund of Barbour bounty and the disposal of moneys arising from fines, forfeitures and convict labor;

Yeas 62, nays 0.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Burks, Burns, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Dale, Fielding, Fletcher, Franklin, Fuller, Gains, Graham, Grant, Graves, Jackson, Jinks, John, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbing, Robinson, Rogers, Rowe, Smith of Autauga, Smith of Butler, Smith of Greene, Tuck, Wheeless, Wood—62.

Also, to

H. 765. To create a separate school district in the town of Brewton, Alabama, to define its boundaries and provide for the maintenance of schools therein.

Yeas 64, nays 0.

Messrs. Speaker, Barren, Beasley, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ewing, Fielding, Fleming, Fletcher, Franklin, Fuller, Graham, Grant, Harris, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mayfield, Meadows, Mahan, Mixon, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Smith of Autauga, Smith Butler, Smith of Greene, Smith of Mobile, Taylor, Turner, Wheelless, Williams of Bullock, Wood—64.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

The committee on enrolled bills report the following-bills correctly enrolled :

H. 60. For the relief of M. P. Johnson of Washington county ;

H. 189. To define the corporate limits of the city of Birmingham, in the State of Alabama ;

H. 282. To establish a separate school district to be known as the Freeman school district in Winston county, Alabama;

H. 283. To establish a separate school district in Winston county, to be known as Poplar Spring school district ;

H. 511. For the relief of John S. Oldham and George H. Bodeker and to authorize and require the city of Birmingham to pay them for services as police sergeants;

H. 822. To amend an act entitled an act to amend section 141 of the code of Alabama, approved December 12th, 1802.

J. H. MONTGOMERY,  
Chairman.

#### SIGNING BILLS.

The speaker of the house, in the presence of the-house, immediately after their titles had been publicly

read by the clerk, signed the bills, whose titles are set out in the foregoing report of committee on enrolled bills.

#### SPECIAL ORDERS.

On motion of Mr. John, the following house bills were made continuing special orders for to-morrow immediately after the reports of standing committees, to-wit:  
H. 891, 626, 462.

#### ERASURE OF SIGNATURE.

The speaker of the house, in accordance with the joint resolution heretofore adopted, erased his signature from the house bill 322.

And the house recessed till 3 o'clock thir afternoon.

#### BILLS ON THIRD READING.

H . 727. For the relief of the representative of Gaylord B. dark, deceased,

Was read a third time, at length, and passed—yeas 51, nays 3.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell Calhoun, Cameron, Camp, Coleman, Cook of Wilcox, Dale, Ellis, Ewing, Fielding, -Fleming, Franklin, Gains, Grant, Graves, Harris, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Maples, Meadows, Mixon, Moore, McClusky, O'Brien, Ott, Perry, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Savage, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Williams of Bullock—51.

Nays:

Messrs. Kyle, Mayfield, Mahan—3.

And the bill was ordered to be sent forthwith to the senate without engrossment.

H. 782. To incorporate the town of Kennedy, in Lamar county, Alabama,

Was read a third time, at length, and passed—yeas 53, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Fielding, Fletcher, Franklin, Fuller, Grant, Graves, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Lipscomb, Mastin, Mahan, McClusky, O'Brien, Ott, Perry, Rabb, Rand, Roach, Robbins, Robinson, Rowe, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Wheelless, Williams of Bullock, Wood—53.

And the bill was ordered to be sent forthwith to the senate without engrossment.

H. 447. To incorporate the Alabama Penny Saving and Loan Company,

Was read a third time at length and passed—yeas 51, nays 0.

Yeas :

Messrs. Banks, Beeson, Brown of Russell, Calhoun, Coleman, Cook of Wilcox, Dale, Davis, Fielding, Fleming, Franklin, Fuller, Gains, Grant, Graves, John, Kelly, Killebrew, Knight, Kyle, Lipscomb, Mayfield, Mahan, Mixon, Moore, McCorvey, McQueen, Ott, Perry, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Roton, Sanford, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Wheelless, Williams of Bullock, Williams of Henry, Wood—51.

And the bill was ordered sent to the senate forthwith without engrossment.

H. 703. To amend section two (2) of an act entitled an act to create a new charter for the city of Florence, Alabama, approved February 28th, 1859,

Was read a third time, at length, and passed—yeas 63, nays 0.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Boykin, Brooks, Brown of Russell, Burks, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fleming, Fletcher, Forman, Fuller, Fulton, Gewin, Graham, Grant, Graves, Harris, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Mayfield, Meadows, Mahan, Mixon, Moore, McClusky, McCorvey, McQueen,



O'Brien, Ott, Patton, Perry, Rabb, Reaves, Roach, Robbins, Robinson, Rowe, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Turner, Wheelless, Williams of Bullock, Wood—63.

H. 921. To amend section 1386 of the code of Alabama, of 1876,

Was read a third time, at length, and passed—yeas 64, nays 0

Yeas:

Messrs. Speaker, Banks, Barren, Beeson, Boykin, Brooks, Brown of Russell, Burks, Calhoun, Cameron, Camp, Coleman, Cook of Wilcox, Dale, Davis, Deans, Ellis, Fleming, Fletcher, Franklin, Fuller, Graham, Grant, Graves, Harris, Jackson, Kelly, Kennedy, Kilbrew, Knight, Kyle, Langley, Lipscomb, Maples, Meador, Meadows, Mills, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Routon, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Wheelless, Williams of Bullock, Wood—64.

And the bill was ordered sent forthwith to the seriate without engrossment.

H. 884. To amend an act to incorporate the city of Tuscaloosa, approved March 12th, 1873, by the addition of the following to be numbered section 102 in reference to the levying, assessment and collection of, taxes on personal and real property by the mayor and aldermen of the city of Tuscaloosa and the sale of the same for the payment of any taxes and costs due said city,

Was read a third time at length, and passed—yeas 63, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Wilcox, Dale, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Franklin, Fuller, Gains, Gibbons, Graham, Grant, Graves, Jackson, Jinks, John, Kelly, Kennedy, Knight, Kyle, Maples, Mayfield, Meadows, McClusky, McCorvey, McQueen, O'Brien, Ott, Perry, Prowell, Rand, Reaves, Robbins, Robinson, Rowe, Routon, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene,

Smith of Mobile, Taylor, Turner, Wheelless, Williams of Bullock, Wood—63;

And the bill was ordered to be sent forthwith to the senate without engrossment.

H. 771. To amend the charter of the town of Greensboro, in Hale county, Alabama, and all acts amendatory thereto,

Was read a third time at length and passed—yeas 63, nays 1.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fielding, Franklin, Fuller, Fulton, Gains, Graham, Grant, Harris, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Meador, Mixon, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Reaves, Roach, Robbins, Robinson, Rogers, Sanford, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Turner, Wheelless, Williams of Bullock, Wood—63.

Nays :

Mr. Hill—1.

And the bill was ordered to be sent forthwith to the senate without engrossment.

s. 317. To require the superintendent of the Faunsdale school district to pay the teachers monthly,

Was read a third time, at length, and passed—yeas 62, nays 1.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burns, Cameron, Camp, Cole, Coleman, Dale, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Franklin, Fuller, Fulton, Gewin, Graham, Graves, Hearn, Hill, Jackson, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Mills, McClusky, McCorvey, McQueen, Patton, Perry, Rabb, Roach, Robinson, Rowe, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Turner, Wheelless, Williams of Bullock, Wood—62.

Nays:

Mr. Curtis—1.

H. 639. To establish a charter for the town of Pollard, Alabama,

Was read a third time, at length, and passed—yeas 59, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Fielding, Fletcher, Forman, Fuller, Gains, Gewin, Gibbons, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Mastin, Mayfield, Meador, Meadows, Mixon, McClusky, McCorvey, Patton, Prowell, Rabb, Reaves, Robbins, Robinson, Rowe, Routon, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Turner, Wheelless, Williams of Bullock, Wood—59.

And the bill was ordered sent forthwith to the senate without engrossment.

H. 898. To establish a new charter for the city of Aniston,

Was read a third time, at length, and passed—yeas 62, nays 0.

Yeas:

Messrs. Banks, Barren, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cole, Cook of Wilcox, Dale, Davis, Deans, E wing, Fleming, Fletcher, Franklin, Fuller, Fulton, Graham, Graves, Harris, Hill, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mixon, McClusky, McCorvey, McQueen, O'Brien, Patton, Prowell, Reaves, Roach, Robbins, Robinson, Rowe, Savage, Scarborough^ Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Turner, Wheelless, Williams of Bullock, Wood—62.

And the bill was ordered sent to the senate forthwith, without engrossment.

H. 745. For the relief of M. E. Curtis as sheriff of Wilcox county, Alabama,

Was read a third time at length and passed—yeas 44, nays 9.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Dale, Ellis, Ewing, Franklin, Fuller, Gains, Graham, Grant, Graves, Harris, Jinks, Kyle, Mayfield, Meador, McCorvey, McQueen, O'Brien, Perry, Roach, Robbins, Robinson, Rou-  
ton, Sanford, Screws, Scale, Smith of Butler, Smith of Mobile, Taylor, Ward, Williams of Bullock—44.

Nays :

Messrs. Brown of Russell, Hearn, Hill, John, Kennedy, Killebrew, Langley, Maples, Meadows, Mahan, Ott, —9.

H. 911. To provide for the extension of stock-law in Coosa county,

Was read a third, time, at length, and passed—yeas 58, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Boykin, Brown of Russell, Calhoun, Cameron, Cook of Talladega, Cook of Wilcox, Deans, Ewing, Fielding, Franklin, Gains, Graham, Grant, Graves, Harris, Jackson, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Meador, Meadows, Mills, Mixon, McCorvey, McQueen, Patton, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Screws, Smith of Butler, Smith of Greene, Taylor, Turner, Wood—58.

H. 670. To pay W. W. Waite, sheriff of Clarke county, for the removal of George W. White, charged with a felony, from LaFayette, in the state of Louisiana, to Grove Hill, in Clarke county, Alabama,

Was read a third time, at length, and passed—yeas 51, nays 1.

Yeas:

Messrs. Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Calhoun, Cameron, Camp, Cook of Wicox, Deans, Ellis, Ewing, Fielding, Fuller, Gains, Graham, Grant, Graves, Harris, Hearn, Jackson, Jinks, John, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Meador, Meadows, Mixon, McQueen, O'Brien, Perry, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Screws, Scale, Smith of Greene, Taylor,

Turner, Wheelless, Whitten, Williams of Bullock, Wood—51.

Nays:

Mr. Brown of Russell—1.

H. 531. To protect and regulate the time and manner of catching and taking fish from and in the water of the state of Alabama, in Madison county,

Was read a third time, at length, and passed—yeas 51, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Calhoun, Curtis, Deans, Ellis, Ewing, Fielding, Fleming, Forman, Franklin, Fuller, Gains, Graham, Grant, Graves, Hill, Jackson, John, Kennedy, Langley, Lipscomb, Meador, Meadows, Mills, Mixon, McClusky, McQueen, Ott, Perry, Rand, Reaves, Roach, Robinson, Rogers, Rowe, Sanford, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Taylor, Turner, Wheelless, Williams of Bullock, Wood—51.

H. 979. To incorporate the Citizens Hose Company number 5, located in the city of Montgomery, Montgomery county, Alabama,

Was read a third time, at length, and passed—yeas 56, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Curtis, Deans, Ellis, Ewing, Fielding, Fleming, Franklin, Fuller, Fulton, Graham, Grant, Graves, Harris, Hill, Jackson, Jinks, John, Kennedy, Killebrew, Kyle, Langley, Meador, Meadows, Mixon, McClusky, O'Brien, Ott, Perry, Band, Reaves, Roach, Robbins, Rogers, Rowe, Sanford, Savage, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Taylor, Turner, Wheelless, Williams of Bullock, Wood—56.

H. 168. To establish a county School Book Board to select a uniform series of text books for use in the public schools in the counties of Walker and Fayette,

Was amended, read a third time, at length, and passed—yeas 49, nays 10.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Boykin, Brooks,

Brown of Conecuh, Calhoun, Cameron, Coleman, Cook of Wilcox, Curtis, Ellis, Fielding, Fleming, Franklin, Fuller, Gains, Graham, Grant, Graves, Harris, Jackson, Kennedy, Killebrew, Kyle, Langley, Meador, Meadows, Mahan, Ott, Rabb, Rand, Roach, Robbins, Rogers, Rowe, Savage, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Turner, Wheelless, Williams of Bullock, Wood—49.

Nays:

Messrs. Speaker, Brown of Russell, Burks, Deans, John, Kelly, Lipscomb, O'Brien, Sanford, Scarborough—10.

H. 946. To amend section ten (10) of an act entitled an act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters or patent medicines having alcohol as abase in Calhoun county, approved December 7, 1886;

Was read a third time, at length, and passed—yeas 53, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cook of Talladega, Cook of Wilcox, Curtis, Ewing, Fleming, Franklin, Fuller, Fulton, Graham, Grant, Graves, Jackson, Jinks, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Maples, Meadows, Mahan, Mills, Mixon, McCorvey, McQueen, O'Brien, Perry, Rabb, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Scarborough, Screws, Smith of Autauga, Summers, Taylor, Wheelless, Williams of Bullock, Wood—53.

H. 733. To relieve William B. Westcott of the disabilities of non-age,

Was read a third time, at length, and passed—yeas 57, nays 0.

Yeas :

Messrs. Speaker, Beasley, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cook of Talladega, Cook of Wilcox, Dale, Deans, Ewing, Fielding, Fleming, Franklin, Fuller, Graham, Grant, Graves, Harris, Hearn, Hill, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Meador, Meadows, Mills, Mixon, McCorvey, Ott, Patton, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Scarborough, Screws, Seale, Smith of Autauga, Smith

of Butler, Smith of Greene, Smith of Mobile, Taylor, Turner, Wheelless, Williams of Bullock—57.

s. 237. To authorize and require the commissioners court of Sumter county to set apart and appropriate money from the general fund of said county with which to pay and discharge certificates of state witnesses, issued by the foreman of the grand jury and by the clerk of the circuit court and county court of said county, and officers' fees, which by law become a good claim against the fine and forfeiture fund of said county, after the approval of this act, and to regulate the manner of said payments ; also, for the re-registration of outstanding valid claims against the fine and forfeiture fund of said county and to regulate the payment of the same;

Was read a third time, at length, and passed—yeas 66, nays 0.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ewing, Fleming, Franklin, Fuller, Graham, Grant, Graves, Harris, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Meadows, Mills, Mixon, McClusky, McCorvey, McQueen, O'Brien, Ott, Perry, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Taylor, Tuck, Turner, Wheelless, Williams of Bullock, Wood—66.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has adopted a joint resolution, herewith sent,

Requesting the president of the senate and the speaker of the house to erase their signatures to the senate bill, No. 250, for amendment,

And has concurred in the house amendment to the senate bill

s. 199. To amend sections six, eleven, fifteen, twenty - one, twenty-five, thirty-four, forty and fifty-one of an act entitled "an act to amend an act, entitled an act to

incorporate the port of Mobile, and to provide for the government thereof, approved December 10th, 1886,

And has originated and passed the following bills :

s. 243. To amend section 2720 of the code ;

s. 251. To amend an act to compel the determination of claims to certain real estate in certain causes- and to quiet the title to the same, approved December- 10th, 1892 ;

s. 253. To relieve Sidney Gassenheimer, of Montgomery, Alabama, of the disabilities of non-age ;

s. 254. To amend section 750 of the code so far as the same applies to the counties of Covington, Crenshaw, Butler, Conecuh and Escambia ;

s. 256. To amend section 2083 of the code of Alabama ;

s. 271. To provide for the holding of the circuit courts in the second judicial circuit; :

s. 282. To amend section 3403 of the code ;

s. 292. To authorize the Tri-State Normal University to receive public school funds for students within school age;

s. 293. To amend sections one, two, three, four, six, seven and eight of an act, approved February 25th, 1889, entitled an act to amend an act entitled an act to establish and incorporate the "Scott Academy" at Scottsboro in Jackson county, approved February 16th, 1883 ;

s. 309. To define the duties and responsibilities of overseers of public roads ;

s. 321. To establish anew charter for the city of Anniston;

s. 340. To establish a separate school district in Cullman county, Alabama, to be known as the West Cullman school district;

s. 344. To define the authority of physicians in the sale or dispensing of medicines and drugs;

s. 374. To establish Big Springs school district in Madison county;

s. 285. Relative to bonds, undertakings, recognizances, guarantees and other obligations required or permitted to be made, given, tendered, or filed with surety or sureties, and to the acceptance as surety or guarantor thereupon of companies qualified to act as such;

And the senate has amended as therein shown, and as amended, has passed the house bills,



H. 322. To provide for the election of a county superintendent of education of Slimier county ;

H. 751. To provide for the time of taking up the criminal dockets in the counties of Bullock and Dale.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once, and referred to the committees, as follows :

To the judiciary, s. 243, 251, 253, 271;

To revision of laws, s. 254, 256, 282;

To education, s. 292, 340, 374, 293 ;

To corporations, s. 321, 285 ;

To public roads and high-ways, s. 309 ;

To public health, s. 344;

And the house concurred in the senate joint resolution, requesting the president of the senate and the speaker of the house to erase their signatures from house bill 250,

And the house concurred in the senate, amendments to H. 322. To provide for the election of the county superintendent of education of Sumter county ;

Yeas 57, nays 0.

Yeas:

Messrs. Speaker, Barron, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Cole, Cook of Talladega, Cook of Wilcox, Davis, Ellis, Fleming, Fletcher, Franklin, Fuller, Fulton, Graham, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Mixon, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Turner, Wheelless—57.

Also to

H. 751. To provide for the time of taking up the criminal docket in the counties of Bullock and Dale;

Yeas 63, nays 0.

50h

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Fuller, Gains, Gibbons, Graham, Grant, Graves, Jackson, John, Kelly, Killebrew, Knight, Kyle, Lipscomb, Maples, Mayfield, Meadows, Mills, Mixon, McClusky, McCorvey, McQueen, O'Brien, Ott, Prowell, Reaves, Robbins, Rogers, Rounton, Savage, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Turner, Wheelless, Williams of Bullock, Wood—63.

And the house adjourned till to-morrow morning at 10 o'clock.

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FORTIETH DAY.

HOUSE OF REPRESENTATIVES,  
February 5, 1895.

The house met pursuant to adjournment.  
Prayer by Rev. Mr. Rowe of the house.

REVISION OF JOURNAL.

The committee on the revision of the journal reported the journal of yesterday correct.

LEAVE OF ABSENCE.

Was granted to Mr. Mastin indefinitely.

RESOLUTIONS

Were introduced and referred to the committee on rules as follows:

By Mr. McCorvey—

INTER-STATE NATIONAL GUARD ENCAMPMENT.

Whereas, the events of the past twelve months have

demonstrated the usefulness and importance of a National Guard and State Troops in maintaining the laws and protecting the enjoyment of the rights of property in the several states of the Union ; and

Whereas, it is of the highest importance that the efficiency and character of such organizations should be fostered and increased to the greatest extent possible, and the several states are unable, and it is impracticable for them to unite upon any feasible plan to promote such ends;

Be it resolved by the House, the Senate concurring, That it recommends an Inter-State National Guard and State Troop Encampment and Drill be held under the support, auspices and control of the Federal Government under such regulations as may be determined at Louisville, Ky., in May, 1895, or at such time as may be deemed best.

Resolved 2. That our Senators and Representatives in Congress be requested to aid in such matter.

By Mr. Sanford—

Resolved, That house bills 808, 1050 and 1051 be made a special order for to-morrow morning after the call of standing committees is completed.

The rules were suspended and the following resolutions were adopted:

By Mr. John—

Resolved, That no bill or resolution shall be made a special order for any hour of any day before the reports from the standing committees are all made ; unless the committee on rules shall have first so recommended;

By Mr. Fletcher—

Resolved, That no senate bill shall be passed by the house prior to the fourth day before adjournment, unless recommended by the committee on rules.

#### INTRODUCTION OF BILLS.

On a call of the counties bills were introduced severally read one time and referred to appropriate committees, as follows :

By Mr. Savage—

H. 1167. To amend section 4886 of the code of Alabama, so far as relates to Fayette county,  
Revision of laws;

By Mr. Smith of Greene—

H. 1168. To amend an act entitled an act to incorporate the town of Eutaw, in Greene county, Corporation;

By Mr. Lipscomb, (by request), with notice and proof—

H. 1169. For the relief of John A. Baker, justice of the peace in precinct 29 of Jefferson county, Alabama, and B. W. May, A. W. Varnum and L. W. S. Newberry, sureties on his official bond,

Revision of laws;

Also (by request)-

H. 1170. For the relief of Dr. J. C. Miller,

Ways and means;

By Mr. McClusky, (with notice and proof)—

H. 1171. To authorize the county treasurer of Lamar county register against the fine and forfeiture fund of said county a claim of L. S. Metcalf, ex-sheriff, for fees due him for services in county court of said county,

Local legislation;

By Mr. Fletcher—

H. 1172. To confirm the incorporation of the Stand-ard Club of Huntsville, Alabama, and to enlarge the powers and capacities of said club,

Corporations;

By Mr. McCorvey—

H. 1173. To organize a medical department of the Alabama State Troops,

Military;

By Mr. Tuck—

H. 1174. To amend and confirm the charter of the State Abstract Company, of Montgomery county, Alabama, a corporation under the laws of said state, and to authorize the reduction of its capital stock,

Corporations;

By Mr. Reaves—

H. 1175. To authorize the probate judge and county commissioners of Randolph county to lay off beat No. 3. and beat No. 6, and all that part of township 18, of range 10, that lies west of Big Tallapoosa river, into stock law districts, and to authorize elections thereon to prohibit stock from running at large in said districts,

Local legislation;

By Mr. Forman—

H. 1176. To amend section two of an act entitled an act to incorporate the city, of Ashville, in St. Clair county, Alabama, approved February 10, 1891,

Corporations;

By Mr. Brooks—

H. 1177. Petition from certain citizens of Mobile, favoring passage of bill to prevent sale of intoxicating liquors on Sunday, &c.,

Temperance;

By Mr. Mayfield—

H. 1178. For the relief of White, Woodruff and Fowler for record books and stationery furnished the supreme court of Alabama,

Appropriations;

By Mr. Robinson—

H. 1179. To incorporate the Industrial Insurance Company of Birmingham, Alabama:

Banking and insurance;

By Mr. Killebrew—

H. 1180. To establish an Agricultural Experiment Station and School at or near Ozark, Newton, Pinckard, or Daleville, Dale county, Alabama, to be located by the Governor, Superintendent of Education and the

Commissioner of Agriculture,

Agriculture;

By Mr Meador—

H. 1181. To require sheriffs and their deputies to arrest persons doing business in this state without license,

Ways and means;

By Mr. Screws (by request)—

H. 1182. To prevent the sale of wheat bran mixed with particles of corn cobs, unless the same is properly labelled,

Agriculture;

By Mr. Meador—

H. 1183. To amend section 615 of the code of Alabama,

Judiciary;

By Mr. Moore—

H. 1184. For the relief of of W. H. and H. W. Slaughter, of Baldwin county, Alabama,

Appropriations;

By Mr. Kyle—

H. 1185. Giving a lien to laborers and contractor who construct railroads,

Revision of laws;

By Mr. Willett—

H. 1186. To provide a remedy by mandamas to compel a transfer of stock in private corporations, and the issuance of new stock in lieu of such stock so transferred,

Judiciary;

By Mr. Clark—

H. 1187. To empower the commissioner of agriculture to redeem from the Bradley Fertilizer Company, fertilizer tags issued during the years 1891, 1892, and 1893, to said company, aggregating five hundred, fifty-six dollars and twenty-five cents, \$556.25,

Ways and means;

#### BILLS ON SECOND READING.

The chairmen of the several committees reported favorably on the following bills :

H. 29. To regulate the administration of general assignments for the benefit of creditors,

(With amendment) ;

H. 215. To authorize Mrs. Josephine S. Mizell, widow of H. H. Mizell, deceased, to sell the dwelling house lately belonging to said deceased, located in Haw Ridge, Coffee county, Alabama;

H. 664. To confer upon persons, firms and corporations constructing, owning and operating water works in this state, for the purpose of supplying water to any city, town, municipality or community, or the inhabitants thereof, or for any other public use, the right, power and authority to acquire and take real estate, rights and easements necessary, suitable and proper for such purposes, and prescribing the manner or proceeding in the exercise of such right, power and authority;

H. 673. To prevent hunting on land without written consent of owner or his agent in Dale county,

(With amendment) ;

H. 755. To authorize and direct the judge of the probate court of Calhoun county to establish districts in said.

county in which stock may be prevented from running at large, and to regulate such districts,

(With amendment) ;

H. 803. To charter the town of Oakman in the county of Walker, State of Alabama,

(With substitute) ;

H. 809. To amend an act entitled an act to regulate the trial of misdemeanors in Shelby county, Alabama, approved February 21, 1893 ;

H. 815. To amend section 3739 of the code of 1886;

H. 846. To prevent hunting on the enclosed lauds of another without the written consent of the owner or his agent or party in possession in that portion of Colbert county, noth of townships four and five,

(With amendment) ;

H. 945. To authorize and require the auditor of the State of Alabama to re-imburse Phelan B. Borland, sheriff of Mobile county, for expenses incurred and services rendered to the state in the removal of George A. Pearce, a fugitive from justice;

H. 951. To increase the number of aldermen in the town of New Decatur in the county of Morgan, to eight; and to authorize the corporate authorities to fix, within the prescribed limits, the future terms of office of the aldermen of said town ;

H. 959. To require the judge of probate of Henry county to keep abstracts of deeds and mortgages filed in his office, on file in the office of the clerk of the circuit courts in Columbia and Dothan;

H. 960. To regulate the sales of real estate within, the jurisdictions of the circuit courts held at Columbia and Dothan, Henry county ;

H. 965. To incorporate the State Land Trust Company;

H. 977. To incorporate King David's Temple, No. 3, a benevolent society, of the city of Montgomery;

H. 980. To incorporate the Southern Home Insurance Company, and to define its rights, powers and franchises;

H. 982. To repeal an act to regulate and prescribe the manner of electing county commissioners of Pike, Bullock, Washington, Baldwin, Butler, Choctaw, Fayette, Shelby, DeKalb and Pickens counties so far as the same relates to Shelby county ;

H. 986. To prohibit the sale, giving away or disposing of poultry dressed or undressed, in Jefferson county, Alabama, except between the hours of 10 o'clock a. m., and four o'clock p.m., and except by regular dealers who sell from a known place of business ;

H. 990. To authorize the solicitor of the ninth judicial circuit, to appoint two deputies for Blount county ;

H. 1010. To authorize and regulate the sale real and personal property for city taxes in the city of Fort Payne, DeKalb county, Alabama, and for the redemption of land sold for city taxes ;

H. 1021. To provide the amounts and payment of fees of jurors and state witnesses in the trial of criminal cases in Jefferson county, Alabama;

H. 1023. To prohibit catching birds with net within St. Clair county;

H. 1036. To amend section one of an act entitled an act to provide for the registration and lien of judgments and decrees for the payment of money, approved February 26, 1889;

H. 1037. To amend section seven of an act, approved February 23, 1883, regulating fines and forfeitures in Jefferson and Monroe counties ;

H. 1050. To establish a seal for the State of Alabama ;

H. 1056. To authorize Mary King, widow of Henry King, deceased, to sell the lands belonging to said Henry King at private sale ;

H. 1081 To amend section 4031 of the code of Alabama ;

H . 1088. To create a lien in favor the owners or keepers of pastures for the payment of their charges for pasturing stock in the counties of Wilcox and Dallas ;

H. 1096. To amend an act entitled an act to alter and amend the law relative to the territorial jurisdiction and and pay of justices of the peace, and notaries public ex-officio justices of the peace in precincts 21 and 37 in Jefferson county, and the several wards of the city of Birmingham, and to provide a punishment for the violation hereof approved ———, 1895;

H. 1101. To prevent animals from running at large on shell roads in the State of Alabama, and to provide a penalty therefor;



H. 1104. To amend section 3389 of the code of Alabama,

Without recommendation;

H. 1105. To authorize the Montgomery Infirmary to establish a school for the training of nurses for the sick, and to grant diplomas to graduates therefrom;

H. 1109. To confirm the incorporation of Young Democracy of Jefferson county, under the general laws of the State of Alabama, and to amend and enlarge the powers thereof;

H. 1115. To amend section two of house bill 580, approved January 30, 1895;

H. 1116. To amend section 4055 of the code of 1886 ;

H. 1117. To regulate and extend the time of the meeting of the township trustees from the last Monday in October to the first Monday of June in each succeeding year, to hold their meeting in township three, of range ten, in DeKalb county, Alabama ;

H. 1118. To amend sections four and six of an act entitled an act to provide for the empanneling of petit juries and grand juries and for the trial of criminal causes in the Bessemer division of the circuit court of Jefferson county, holden at Bessemer, under an act to provide for the holding of terms of the circuit court of the tenth judicial circuit for the trial of civil causes at Bessemer, in and for certain portions of Jefferson county therein mentioned, approved February 21st, 1893, approved December 14th, 1894;

H. 1129. To provide a system of water works for the city of Greenville, and to authorize the mayor and city council of Greenville, Alabama, to issue bonds for an amount not exceeding twenty thousand dollars, for the purpose of purchasing a system of water works ;

H. 1126. To ratify and confirm the charter of the Standard Building and Loan Association of Montgomery, Alabama, the Mutual Benefit Building and Loan Association of Montgomery, and the Home Building and Loan Association of Montgomery, corporations under the general laws of the state, and to authorize them to issue what is known as "Paid up" stock, and to lend money on the stock of their members;

H. 1133. To prescribe the duty of the secretary of state in the distribution of books within his control;

H. 1134. To repeal section 854, 859 and 860 of the code of Alabama;

H. 1135. To amend sections 856, 857 and 858 of the code of Alabama ;

H. 1136. To amend section 4511 of the code ;

H. 1140. To confer chancery jurisdiction on the circuit court of Jefferson county holden at Birmingham and Bessemer in said county ;

H. 1141. To license and regulate the pursuit or calling of soliciting persons in Jefferson, Bibb, Walker and Blount counties to enter into contracts for their labor;

H. 1146. For the relief of Henry P. Oden ;

H. 1147. To prevent stock from running at large in certain portions of Montgomery county ;

H. 1152. To fix the time for holding circuit court in the counties of Clay and Cleburne ;

H. 1157. To amend an act to establish a new charter for the city of Talladega, approved February 28th, 1887;

H. 1158. To fix the time and to define the terms for holding the circuit court in the several counties of the tenth judicial circuit;

H. 1162. To fix the times for holding the circuit court in the counties composing the 5th judicial circuit in the State of Alabama;

s. 103. To create a lien in favor of the owners of public ginneries;

s. 120. To prevent hunting on lands without the consent of the owner after the same shall have been posted by the owner at three conspicuous places thereon in St. Clair county,

(With amendment) ;

s. 135. To authorize the manufacturers of wine made of the juice of grapes or berries to sell the same at the place of manufacture without taking out a license there--  
tor,

(With amendment) ;

S. 170. To prevent stock from running at large in Certain parts of Perry county, viz : Uniontown and Wal--  
thalls precincts,

(With amendment;)

s. 218. For the protection of fish in the waters of Dog River;

s. 227. To provide a penalty for violations of prohibition laws of this state ;

s. 243. To amend an act entitled an act to amend section 2720 of the code, approved February 21st, 1893;

s. 246. To incorporate the Southern Coal Company ;

s. 251. To amend an act to compel the determination of claims to real estate in certain cases and to quiet the title to the same, approved December 10, 1892;

s. 253. To relieve Sidney Gassenheimer of Montgomery, Alabama, of the disabilities of non-age ;

s. 263. To amend section 2972 of the code of Alabama, so as to provide a more effectual remedy against the subscribers to the capital stock of a corporation who have not paid their subscriptions ;

s. 284. To amend an act entitled an act to amend section one (1) of an act entitled an act to amend an act entitled an act to incorporate the port of Mobile, and provide for the government thereof, approved February 11th, 1879, approved December 10, 1886, approved February 4, 1893 ;

s. 291. To regulate the amount of fees to be received by witnesses attending court in criminal cases or before the grand jury or any other criminal proceedings so far as the same relates to the county of Tuscaloosa;

s. 293. To amend sections one, two, three, four, six, seven and eight of an act, approved February 25th, 1889, entitled an act to amend an act entitled an act to establish and incorporate the " Scott Academy" at Scottsboro in Jackson county, approved February 16th, 1883 ;

s. 312. To prevent hogs, sheep and goats from running at large in certain parts of Limestone county, and to repeal an act approved February 1st, 1893, entitled an act to authorize and direct the commissioners court of Limestone county to establish districts in said county in which hogs, sheep and goats may be prevented from running at large ;

s. 319. For the protection and preservation of partridges, wild turkeys and deer, and to prevent camp-hunting in Colbert county ;

s. 330. For the relief of T. S. Moore, of Baldwin county, Alabama;

s. 334. To amend an act to incorporate the Tuskegee-Female College, approved February 22, 1854, and an act to amend an act entitled an act to incorporate the Tuskegee Female College, approved March 28, 1873, so as to prohibit the sale of spirituous, vinous and malt

liquors within four miles of the Alabama Conference Female College;

s. 345. To incorporate the Southern Home Insurance Company, and to define its rights, powers and franchises;

s. 347. To incorporate the Planters Warehouse and Commission Company.

The above and foregoing bills were severally read a second time and placed on the calendar.

s. 319, and H. 1146 were returned to the house and re-committed to the committee on local legislation.

H. 1061, 1062, 1063, and 1065 were returned to the house and re-committed to a special committee consisting of the Jefferson delegation.

s. 107 was taken from adverse report and re-referred to the judiciary committee.

s. 333 Was taken from adverse report, read a second time and placed on calendar.

#### BILLS ON THIRD READING.

H. 891. To regulate the practice in the courts of law in this state.

The title was amended so as to include the words "and equity" immediately after the word "law," and as amended,

Was read a third time, at length, and passed—yeas 65, nays 6.

Yeas:

Messrs. Banks, Barron, Beeson, Brooks, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ellis, Ewing, Fleming, Fletcher, Forman, Franklin, Fulton, Gains, Gibbons, Grant, Graves, Harris, Hearn, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Lipscomb, Maples, Mayfield, Meadows, Mahan, Mixon, Montgomery, Moore, McClusky, McCorvey, Ott, Reaves, Roach, Robbins, Rogers, Rowe, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—65.

Nays:

Messrs. Boykin, Fuller, Kyle, McCorvey, Rabb, Robinson—6.

H. 626. To create the northern chancery division and provide for the appointment of a chancellor thereof and fix the time of holding chancery courts therein,

Was read a third time, at length, and passed—yeas 48, nays 8.

Yeas:

Messrs. Speaker, Barron, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Calhoun, Cole, Curtis, Dale, Davis, Ellis, Fielding, Fleming, Fletcher, Fulton, Grant, Hearn, Jinks, John, Kelly, Knight, Kyle, Langley, Lipscomb, Maples, Mahan, O'Brien, Patton, Prowell, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Williams of Bullock, Wood—48.

Nays:

Messrs. Cameron, Coleman, Fuller, Franklin, Harris, Meadows, Mixon, Wheelless—8.

H. 462. To provide for holding circuit and chancery courts, when the Judges or chancellors thereof fail to attend regular terms, by a supernumerary judge, and to prescribe his powers, duties and pay,

Was read a third time at length, and Mr. John moved. to postpone the further consideration of the bill till tomorrow immediately after reports of standing committees.

Mr. John's motion was carried.

H. 127. To regulate judicial proceedings in bills of discovery,

Was read a third time at length, and passed—yeas 56, nays 0.

Yeas :

Messrs. Speaker, Barren, Beasley, Boykin, Brown of Russell, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Fletcher, Forman, Franklin, Puller, Gewin, Gibbons, Grant, Graves, Harris, Hearn, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Maples, Mayfield, Meador, Meadows, Mixon, Moore, McCorvey, McQueen, Ott, Rabb, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Smith of Autauga, Smith of Mobile, Taylor, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Wood—56.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended, as therein shown, and, as amended, has passed the following house bill:

H. 502. To incorporate Coffee Springs camp grounds in Geneva county, to authorize and empower the trustees, cabin owners and tent holders to pass and enforce rules and regulations to maintain and preserve good order within one mile of said camp grounds and to control its management;

And has passed the house bills :

H. 1002. To fix the maximum of tolls to be charged by the owners, lessees or operators of the road abridge crossing the Tennessee river, between the counties of Colbert and Lauderdale, and known as Florence bridge, and to fix the penalty for demanding or receiving a higher rate of toll;

H. 789. To amend section 1206 of the code of Alabama.

W. L. CLAY,  
Secretary.

## SENATE MESSAGE.

The house concurred in the senate amendment to

H. 502. To incorporate Coffee Springs Camp Grounds in Geneva county ; to authorize and empower the trustees, cabin owners and tent holders to pass and enforce rules and regulations to maintain and preserve good order within one mile of said camp grounds, and to control its management.

Yeas 51, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Boykin, Brooks, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Ewing, Fleming, Fletcher, Frank, lin, Fuller, Fulton, Gains, Gibbons, Grant, Graves, Harris, Hearn, Jinks, John, Kennedy, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Mixon, Moore, McCorvey, O'Brien, Ott, Prowell, Reaves, Roach, Robbins, Robinson, Rowe, Smith of Greene, Tuck, Willett, Williams of Bullock, Wood—51.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

The committee on enrolled bills report the following bills correctly enrolled :

H. 545. To regulate the fine and forfeiture fund of Barbour county and the disposal of moneys arising from Hues, forfeitures and convict labor ;

H. 765. To create a separate school district in the town of Brewton, Alabama, to define its boundaries and provide for the maintenance of schools therein ;

H. 789. To amend section 1206 of the code of Alabama;

H. 1002. To fix the maximum of tolls to be charged by the owners, lessees or operators of the road bridge crossing the Tennessee river, between the counties of Oolbert and Lauderdale, and known as the Florence bridge, and to fix the penalty for demanding or receiving a higher rate of toll.

J. H. MONTGOMERY,  
Chairman.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bills, your signature thereto is requested ;

s. 199. To amend sections six, eleven, fifteen, twenty-one, twenty-five, thirty-four, forty, of an act entitled an act to amend an act entitled an act to incorporate the port of Mobile, and to provide for the government thereof, approved December 10th, 1886 ;

s. 229. To fix the times and regulate the holding of the courts in the Eighth Judicial Circuit of the state of Alabama;

s. 288. To authorize the mayor and council of the town of Marion to erect and maintain water works in said town ; to issue bonds for the purpose of erecting and maintaining said water works to an extent not exceeding thirty thousand dollars, and to make provision by deed of trust and the creating of a sinking fund for the payment of said bonds,

W. L. CLAY,  
Secretary.

## SIGNING BILLS

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, whose titles are set forth in the foregoing senate message and report of committee on enrolled bills.

And the house recessed till 3 o'clock this afternoon.

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 AFTERNOON SESSION.

## RESOLUTIONS

Were introduced, the rules suspended, and adopted, as follows:

By Mr. Robinson—

Resolved, That when the name of a member is reached upon the call of the roll, for the purpose of calling up a local bill, he may call up either a house or senate bill.

By Mr. Brooks—

Resolved, That the door-keeper be instructed to procure a thermometer and place it in the house, and that he be required to see that a temperature be maintained at 70 degrees fahrenheit,

Was referred to committee on rules.

Mr. Forman offered the following resolution, which was referred:

Resolved, That the senate be requested to return senate-bill No. 57 to the house for the purpose of amending same.

## BILLS ON THIRD READING.

H . 760. To prohibit the selling, giving away or otherwise disposing of alcoholic, vinous or malt liquors or other intoxicating drinks or beverages, or fruits preserved in alcoholic liquors, within one half mile in every direction from Mash's mill in beat 6 in Crenshaw county, Alabama,

Was read a third time, at length, and passed—yeas 55, nays 0.



Yeas:

Messrs. Speaker, Banks, Barron, Beasley, Beeson, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Coleman, Curtis, Dale, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gibbons, Graham, Graves, Jackson, Jinks, Kennedy, Killebrew, Lipscomb, Manning, Maples, Mayfield, Meador, Meadows, Mahan, Mixon, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Ott, Reaves, Roach, Robbins, Robinson, Routon, Savage, Smith of Autauga, Smith of Butler, Summers, Taylor, Tuck, Wheelless, Whitten, Willett, Williams of Bullock, Wood—55.

s. 311. To authorize the Vankirk Land & Construction Company to borrow money and secure its payment; Was read a third time, at length, and passed—yeas 47, nays 10.

Yeas:

Messrs. Speaker, Barron, Beeson, Brown of Russell, Burns, Calhoun, Cameron, Coleman, Cook of Talladega, Ewing, Fielding, Fleming, Forman, Franklin, Fuller, Fulton, Graham, Graves, Kennedy, Lipscomb, Maples, Mayfield, Meador, Mahan, Moore, McClusky, McQueen, O'Brien, Rabb, Rand, Roach, Robinson, Rogers, Rowe, Routon, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Willett, Williams of Bullock, Williams of Henry, Wood—47.

Nays:

Messrs. Harris, Jackson, John, Kelly, Killebrew, Langley, Meadows, Reaves, Summers, Wheelless—10.

H. 695. To authorize the sentencing of convicted felons in Jefferson county, Alabama, where the sentence as punishment does not exceed five years to the penitentiary or to hard labor for the county.

The bill was amended so as to include Pickens county and the bill, on motion of Mr. Knight, was tabled.

s. 242. To change the boundary lines of the counties of Colbert, Franklin and Lawrence,

Was read a third time at length and passed—yeas 56, nays 16.

Yeas:

Messrs. Speaker, Banks, Barron, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burns,

51 h

Calhoun, Camp, Cole, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Fletcher, Fulton, Gibbons, Graham, Graves, Hill, Jinks, John, Kelly, Kennedy, Kyle, Lipscomb, Maples, Mayfield, Meador, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Rabb, Rand, Robinson, Rogers, Rowe, Savage, Scarborough, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Ward, Willett, Williams of Bullock, Williams of Henry, Wood—56.

Nays :

Messrs. Burks, Cook of Talladega, Deans, Ewing, Fielding, Gains, Harris, Hearn, Jackson, Mixon, Reaves, Robbins, Savage, Smith of Butler, Summers, Wheelless --16.

H. 581. To fix the annual compensation of the judge of probate, clerk of the circuit court and sheriff of Elmore county for ex-officio services,

Was read a third time, at length, and lost—yeas 8, nays 60.

Yeas :

Messrs. Graham, Hill, Jinks, McCorvey, McQueen, Robinson, Smith of Autauga, Wood—8.

Nays:

Messrs. Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Fuller, Fulton, Gains, Gewin, Gibbons, Graves, Harris, Jackson, John, Kennedy, Killebrew, Knight, Kyle, Lipscomb, Manning, Meadows, Mahan, Mills, Montgomery, McClusky, Ott, Rabb, Rand, Reaves, Roach, Robbins, Rogers, Rowe, Sanford, Screws, Seale, Smith of Butler, Summers, Turner, Wheelless, Williams of Bullock, Williams of Henry—60.

H. 807. To incorporate the Autauga Manufacturing Company,

Was read a third time at length and passed—yeas 64, nays 0.

Yeas :

Messrs. Beeson, Boykin, Brooks, Brown of Russell, Burks, Burns, Cameron, Coleman, Cook of Tallagega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fletcher, Foreman, Franklin, Fulton, Gains,

Gewin, Gibbons, Graham, Grant, Graves, Hill, Jackson, Jinks, John, Kyle, Langley, Maples, Mayfield, Meador, Meadows, Mills, Mixon, Montgomery, McClusky, McQueen, O'Brien, Patton, Perry, Rabb, Rand, Reaves, Robbins, Robinson, Rowe, Routon, Sanford, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Taylor, Willett, Williams of Bullock, Williams of Henry, Wood—64.

H. 1032. To amend section 3 of an act entitled an act to amend the caption and sections one (1) and eight (8) of an act entitled an act to prevent horses, mules, asses, cows, hogs, sheep and goats from running uncontrolled on crops in beat No. 5 and in beat No. 8, in Butler county, and to prescribe a rule of damages and rules of protection in the trial of cases under this act, approved February 5th, 1891;

Was read a third time, at length, and passed—yeas 56, nays 2.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Boykin, Brown of Coneuch, Brown of Russell, Burks, Calhoun, Camp, Cole, Fleming, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Harris, Hill, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Langley, Lipscomb, Manning, Maples, Meadows, Mahan, Mixon, Ott, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Willett, Williams of Bullock, Wood—56.

Nays:

Messrs. Coleman and Franklin.

H. 1069. To better provide for the payment of certain claims therein named,

Was amended, read a third time at length, and passed.

Yeas 69, nays 0.

Yeas :

Messrs. Speaker, Barren, Beasley, Bellinger, Boykin, Brown of Coneuch, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ellis, Ewing, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Harris,

Jackson; Jinks, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mastin, Meador, Meadows, Mahan, Mixon, Montgomery, Moore, McCorvey, Perry, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Savage, Scarborough, Screws, Seale, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Wheelless, Williams of Henry, Wood—69.

H. 679. For the relief of justices of the peace, notaries public exercising the same jurisdiction and the same powers of justices of the peace and constables of Greene county, Alabama,

Was amended, read a third time at length and passed—yeas 52, nays 4.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown Russell, Burks, Burns, Cameron, Cole, Coleman, Cook of Talladega, Deans, Ellis, Fielding, Fleming, Fletcher, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Jinks, John, Langley, Lipscomb, Meadows, McQueen, Ott, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Savage, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry—52.

Nays:

Messrs. Boykin, Kyle, Smith of Autauga and Wood.

H. 722. For the relief of James Coyles Bullock and to change the name of said James Coyles Bullock to James Coyles Barry,

Was read a third time, at length, and passed—yeas 64, nays 0.

Yeas:

Messrs. Speaker, Banks, Barron, Beasley, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Cole, Ellis, Fielding, Fleming, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Harris, Jinks, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Meadows, Mahan, Mixon, Montgomery, Moore, McClusky, McQueen, Ott, Patton, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Routon, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry—64.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has adopted a joint resolution, herewith sent,

Requiring, the committee on joint rules of each house to meet and prepare a joint resolution with reference to the disposition of senate and house bills now on the calendar of the house and senate.

W. L. CLAY,  
Secretary.

## SENATE MESSAGE.

The house concurred in the resolution referred to in the above senate message.

## REPORT OF JOINT RULES COMMITTEE.

The joint committee on rules, reported as follows :

That the sessions devoted to the consideration of local bills be continued as at present, either house or senate bills being permitted to be called up.

That the regular sessions of the senate and the house, beginning with Saturday next be devoted to the consideration of bills originating in the several bodies, this to continue up to and including the Tuesday following.

And the report of the committee was concurred in.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the report of the joint committee on rules with reference to the disposition of the bills on the calendars of the two houses.

W. L. CLAY,  
Secretary.

## REPORT OF CONFERENCE COMMITTEE.

Mr. Speaker:

Your committee to whom was referred the disagreement of the two houses on

H. 103. To amend an act to incorporate the Alabama Baptist Colored Normal and Theological School, and all amendments thereto,

Have had the same under consideration and beg to report as follows:

We recommend that the senate recede from that part of the first amendment which reads : Amend by inserting "colored" in the title of the bill before the words "Alabama Baptist," and that the house concur in the balance of the first amendment;

And that the house do concur in the second senate amendment.

KNIGHT,

DALE ,

BROWN,

Committee on part of the house.

CULVER,

PORTER,

NOLEN,

Committee on part of senate.

And the house concurred in the report of the conference committee.

Yeas 55, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Russell, Burns, Calhoun, Cole, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gibbons, Graves, Jinks, John, Kelly, Kennedy, Knight, Kyle, Langley, Meadows, Mahan, Mills, Mixon, Moore, McQueen, Ott, Rabb, Band, Roach, Robbins, Robinson, Rogers, Rowe, Rouston, Savage, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Ward, Wheelless, Williams of Bullock—55.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has adopted a joint resolution herewith sent,

Requesting the presiding officers of the two houses to erase their signatures from the house bills 478 and 518, respectively, for amendment.

And has amended as therein shown, and, as amended, has passed the house bills,

H. 479. To incorporate the city of Ozark, in the county of Dale;

H. 250. To create a separate school district in the city of Jasper, Alabama, to define the boundaries thereof, and provide the maintainance of schools therein;

And has concurred in the house amendment to the senate bills:

s. 237. To authorize and require the commissioners court of Sumter county to set apart and appropriate money from the general fund of said county with which to pay and discharge certificates of state witnesses, issued by the foreman of the grand jury and by the clerk of the circuit court and county court of said county, and officers' fees, which by law become a good claim against the fine and forfeiture fund of said county, after the approval of this act, and to regulate the manner of said payments ; also, for the re-registration of outstanding valid claims against the fine and forfeiture fund of said county and to regulate the payment of the same;

s. 168 To authorize the county superintendent of Lamar, Fayette and Walker counties, each for itself, to call a special school board of education to select a uniform series of standard school books to be used in the public schools of Lamar, Fayette and Walker counties, Alabama,

And the senate has originated and passed following bills:

s. 337. To provide for the appointment of solicitors pro-tempore in circuit courts and courts of like jurisdiction, and to provide for the payment of such temporary solicitors ;

s. 336. For the relief of R. S. McWhorter, late tax collector of Lowndes county;

s. 375. To incorporate the board of lady managers of the Hospital of United Charities, in Birmingham, Alabama ;

s. 376. To confer additional powers on the mayor and aldermen of Birmingham ;

s. 378. To regulate the sale of real estate for unpaid municipal taxes and assessments in the city of Birmingham ;

s. 386. To authorize the formation of a brigade of the

Alabama state troops and to provide-for the appointment of the officers thereof;

s. 387. To authorize an officer elected to the same office in another organization to accept such office without losing his rank;

s. 388. To amend section 188 of the code ;

s. 397. To fix the salary of the state auditor;

s. 389. To amend section 184 of the code ;

s. 382. To amend section 191 of the code ;

s. 358. To amend sections 3 and 9 of an act to enlarge and amend a charter under an act approved January 26, 1891, establishing a charter for the town of Woodlawn, in Jefferson county, Alabama ;

s. 385. To provide for filling vacancies in the elective offices of the Alabama State troops;

s. 383. To amend section 171 of the code ;

s. 381. To amend section 185 of the code;

s. 384. To amend section 174 of the code.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once, and referred to the committees, as follows:

To the judiciary, s. 337;

To corporations, s. 376, 358, 375, 378 ;

To the military, s. 387, 389, 388, 386, 381, 382, 383, 384,385;

To appropriations, s. 336, 397.

And the house concurred in the resolution requesting erasure of signature from house bills 478 and 518.

And the house concurred in the senate amendments to H. 479. To incorporate the city of Ozark in the county of Dale.

Yeas 63, nays 0.

Yeas :

Messrs. Speaker, Barron, Beasley, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Cameron, Cole, Curtis, Ellis, Ewing, Fielding, Fleming, Forman, Franklin, Fuller, Fulton, Gains, Gibbons', Graham,



Grant, Graves, Harris, Jinks, JoJin, Kelly, Kennedy, Knight, Kyle, Langlely, Lipscomb, Maples, Mayfield, Meadows, Mahan, Mills, Mixon, Montgomery, McCorvey, McQueen, Rabb, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Savage, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry—63.

Also to

H. 250. To create a separate school district in the city of Jasper, Alabama, to define the boundaries thereof and provide for the maintenance of schools therein,

Yeas, 56, nays 0.

Yeas.:

Messrs. Speaker, Barron, Beasley, Beeson, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Deans, Ellis, Swing, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Graves, Harris, Jinks, John, Kelly, Kennedy, Kyle, Langlely, Lipscomb, Maples, Meadows, Mills, Mixon, McQueen, Ott, Rabb, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Savage, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Willett, Williams of Bullock, Williams of Henry—56.

And the house adjourned till to-morrow morning at 10 o'clock.

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FORTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,

February 6, 1895.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Dannelly, of the city.

A quorum was present.

REVISION OF JOURNAL.

The committee on revision of journal reported the journal of yesterday correct.

## LEAVE OF ABSENCE.

Was granted to Messrs. Jackson, Patton, Prowell and Grant for one day; and to Page Jack Turner for one-day.

## RESOLUTIONS

Were offered as follows:

By Mr. John—

Resolved, That the committee on ways and means be instructed to report to the house the bill to amend the revenue laws of Alabama with such amendments as the committee has agreed upon and that the committee have the privilege of reporting such other amendments as it deems wise at any time before the bill is ordered to a third reading;

(2) That said bill be made a continuing special order for the afternoon session of the house.

By Mr. Boykin—

Resolved, That house bill 774 be made special order for tommorrow 11 o'clock a. m.

All of which were referred to the committee on rules.

## INTRODUCTION OF BILLS.

On a call of the counties bills were introduced, severally read one time and referred to appropriate committees as follows :

By Mr. Beasley—

H. 1188. To regulate payments of the fine and forfeiture fund of Covington county by requiring payments in the numerical order of its registry, and after sixty days notice to bar claims not presented to the amount of one hundred and thirty five dollars of the claims first in numerical order not presented,

Local legislation;

By Mr. Screws, with notice and proof,

H. 1189. For the relief of A. J. Hall, of Montgomery-county,

Local legislation;

By Mr. Taylor, with notice and proof,

H. 1190. For the relief of A. E. J. Tolleson of Cle-

burne county, authorizing him to peddle in said county free of license,

Ways and means;

By Mr. Meador—

H.1191. A supplement to an act to provide for the regulation and incorporation of insurance companies,

Banking and insurance;

By Mr. Taylor—

H. 1192. To authorize the mayor and council of Heflin, to prescribe the manner of publishing the ordinances of said town, to fix the compensation for publishing them, and to regulate the license on pool and billiard tables and mercantile business,

Judiciary.

#### BILLS ON SECOND READING.

The chairmen of the several committees, reported favorably on the following bills, :

H. 31. To regulate the sale of goods, wares, merchandise and other personal property advertised as bankrupt, insolvent, insurance, assignee, trustee, testator, executor, administrator, receiver, auction, syndicate, railroad or other wreck, wholesale or manufacturers or closing out sale, or goods damaged by smoke, fire, water or otherwise, and to provide for a license fee for such sales from such venders in the counties of Mobile, Jefferson and Tuscaloosa;

H. 661. To appropriate money to reimburse certain insurance companies, for amounts illegally paid by them, into the state treasury, under an act approved February 18, 1793, entitled an act to require all corporations to pay a fee or license for the use of the state, before commencing business in this state ;

H. 750. To regulate the fine and forfeiture fund of Butler county and the disposal of moneys arising from fines, forfeitures, and convict labor in said county;

s. 376. To confer additional powers on the mayor and aldermen of Birmingham ;

H. 850. Te establish a separate school district in Etowah county, Alabama, to be known as Aurora school district, and to define the boundaries thereof;

H. 914. To exempt practicing dentists from jury duty in all the counties in Alabama;

H. 997. To amend an act entitled an act to amend sub-division 18 of section 137 of the code of 1886, approved February, 1891;

H. 1100. To amend an act entitled an act to establish the Hampton school district in Madison county, approved February 15, 1893;

H. 1125. To authorize and empower the faculty of the Northeast Alabama Agricultural School and Experiment Station at Albertville to grant certificates of proficiency and diploma, and confer college degrees on the graduates of said institution,

(With amendment) ;

H. 1127. To establish the Ragland school district in St. Clair county;

H. 1164. To create the 14th judicial circuit, to confer equity jurisdiction in the courts to be held in said circuit and to fix the time for holding the courts therein and to provide for the appointment and election of a judge and a solicitor for said circuit and to fix the salary of such judge and solicitor, and prescribe the manner in which the same shall be paid,

(With amendment) ;

H. 1186. To provide a remedy by mandamus to compel a transfer of stock in private corporations, and the issuance of new stock in lieu of such stock so transferred ;

s. 80. To amend section 4 of an act entitled an act to establish a branch Agricultural Experiment Station and Agricultural School in southwest Alabama, approved February 21, 1893;

s. 285. Relative to bonds, undertakings, recognizances, guarantees, and other obligations required or permitted to be made, given, tendered or filed with surety or sureties, and to the acceptance as surety or guarantor thereupon, of companies qualified to act as such,

(With amendments.)

s. 304. Relating to the killing of stock by railroads in this State ;

s. 374. To establish Big Springs school district in Madison county;

H. 1027. To provide for a state exhibit at the Cotton States and International Exposition to be held in Atlanta September 18, to December 31, 1895 ;

H. 1165. To instruct the auditor of the state of Ala-

bama, to draw his warrant on the state treasurer for the amount due the late James Taylor Jones as salary as judge of the first judicial circuit up to the time of his death, in favor of Virginia M. Jones, relict of the said Judge Jones;

H. 1097. To create the office of auditor of Jefferson county, and to provide for the selection of the auditor and to prescribe his powers and duties ;

H. 1107. To amend an act entitled an act to prevent stock from running at large in Cherokee county, to authorize elections thereon, and to provide for building and maintaining fence and gates, approved February 16, 1891;

H. 1163. To authorize the town council of Tuskegee to issue bonds ;

H. 1171. To authorize the county treasurer of Lamar county to register against the fine and forfeiture fund of said county a claim of L. S. Metcalf, ex-sheriff for fees due him for services in county court of said county;

H. 1174. To amend and confirm the charter of the State Abstract Company of Montgomery county, Alabama, a corporation under the laws of said state, and to authorize a reduction of its capital stock ;

H. 1175. To authorize the probate judge and county commissioners of Randolph county to lay off beat No. 3, and beat No. 6 and all that part of township 18, of range 10, that lies west of Big Tallapoosa river, into stock law districts, and to authorize elections thereon to prohibit stock from running at large in said districts;

s. 333. To authorize the city of Mobile to build or otherwise acquire a system of water works, and operate the same;

s. 222. To amend section 3878 (4414) of the code, so far as the same relates to the county of Cherokee;

s. 349. To prohibit stock from running at large on lands owned by T. H. Bradford, in Marengo county;

H. 1095. To prevent stock from running at large from the first day of March to the 15th day of November in each and every year in certain portions or territory of precinct No. 4, in Hale county, Alabama.

The above and foregoing bills were severally read a second time and placed on the calendar.

H. 265 was taken from adverse report and re-committed to the committee on education.

## BILLS ON THIRD READING.

The house resumed consideration of

H. 462. To provide for holding circuit and chancery courts, when the judges or chancellors thereof fail to attend regular terms, by a supernumerary judge, and to prescribe his powers, duties and pay;

The vote by which the bill was ordered to a third reading was reconsidered, and the bill was amended by striking out wherever it occurs in the bill the word "supernumerary," and inserting in lieu thereof the word "state,"

And the bill was read a third time at length and passed—yeas 43, nays 32.

Yeas :

Messrs. Speaker, Barren, Boykin, Brooks, Burns, Calhoun, Cameron, Cook of Wilcox, Curtis, Dale, Ellis, Fleming, Fletcher, Fulton, Gibbons, Graham, Hearn, Jinks, John, Kyle, Lipscomb, Maples, Mayfield, Meadows, Mahan, Montgomery, Moore, McClusky, McQueen, O'Brien, Rabb, Rand, Roach, Robinson, Rogers, Rowe, Scarborough, Smith of Autauga, Smith of Mobile, Summers, Tuck, Ward, Williams of Bullock, Wood—43.

Nays:

Messrs. Banks, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Burks, Cole, Coleman, Cook of Talladega, Davis, Ewing, Fielding, Forman, Franklin, Fuller, Gains, Gewin, Graves, Hill, Kennedy, Killebrew, Knight, Langley, Meador, Mixon, Ott, Robbins, Routon, Smith of Greene, Taylor, Wheelless—32.

H. 1087. To prescribe the duties of circuit judges and solicitors in interchanging and holding special terms of court for each other and to authorize the governor to direct and require a special or adjourned term of any circuit or city court to be held whenever in his judgment the public good requires it;

The amendment offered by the committee was adopted and the bill was read a third time at length and passed—yeas 48, nays 9.

Yeas:

Messrs. Banks, Beeson, Boykin, Burns, Calhoun, Cook of Wilcox, Curtis, Dale, Fleming, Fletcher, Fulton, Gewin, Gibbons, Graham, John, Kennedy, Killebrew,

Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Moore, McClusky, McCorvey, McQueen, O'Brien, Rabb, Rand, Roach, Robinson, Rowe, Routon, Scarborough, Scale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Ward, Williams of Bullock, Williams of Henry, Wood—48.

Nays:

Messrs. Brown of Conecuh, Burks, Cole, Coleman, Davis, Deans, Fuller, Graves, Wheelless—9.

H. 275. To provide for service of summons upon receivers of corporations,

Was read a third time at length and passed—yeas 63, nays 0.

Yeas :

Messrs. Speaker, Barren, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Curtis, Dale, Davis, Ewing, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gibbons, Graves, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mills, Mixon, McClusky, McCorvey, McQueen, O'Brien, Ott, Prowell, Rabb, Reaves, Roach, Robinson, Rowe, Routon, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—63.

H. 358. To provide for the transfer of cases or suits pending in inferior court of record of this state when the act creating such court has been repealed,

Was read a third time at length and passed—yeas 63, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Harris, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Meador, Meadows, Mills, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rabb, Rand, Roach, Robbing, Robinson, Rogers, Rowe, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of

Greene, Smith of Summers, Mobile, Taylor, Tuck, Wheelless, Williams of Bullock, Williams of Henry, Wood—637

H.365. To authorize suits to be brought against receivers without the previous leave of court,

Was read a third time, at length, and passed—yeas 55, nays 0.

Yeas:

Messrs. Speaker, Barron, Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Burks, Bums, Calhoun, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, O'Brien, Gibbons, Graham, Grant, Graves, Killebrew, Langley, Lipscomb, Maples, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, McCorvey, McQueen, O'Brien, Ott, Prowell, Rabb, Rand, Roach, Robinson, Rowe, Routon, Scarborough) Smith of Autauga, Smith of Butler, Smith of Greene, Taylor, Williams of Bullock, Williams of Henry—55.

H. 372. To amend section 2984 of the code of Alabama,

Was read a third time, at length, and passed—yeas 52, nays 0.

Yeas:

Messrs. Bellinger, Boykin, Brooks, Brown of Russell, Burks, Calhoun, Cook of Talladega, Curtis, Dale, Davis, Ellis, Fielding, Fletcher, Ford, Forman, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Hearn, Jinks, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Martin, Mayfield, Meadows, Mahan, Mixon, McQueen, Ott, Robbins, Robinson, Rowe, Routon, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Willlett, Williams of Bullock, Williams of Henry—52.

H. 402. To repeal sections 1,3 and 4 of an act entitled an act "to provide for and regulate, the fine and forfeiture fund in the counties of Monroe, Macon, Washington, Jefferson and Randolph," so far as said sections 1, 2 and 4 relate to Washington county,

Was read a third time, at length, and passed—yeas 62, nays 0.

Yeas:

Messrs. Banks, Barron, Beasley, Beeson, Bellinger,



Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burns, Cook of Wilcox, Dale, Davis, Ellis, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Graves, John, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, Rogers, Rowe, Routon, Sanford, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Williams of Bullock, Williams of Henry, Wood—62.

H. 222. To provide a lien for proprietors or keepers of hotels and boarding houses, and to repeal an act entitled "an act for the protection of landlords, proprietors or keepers of hotels and boarding houses," approved February 21st, 1893,

And on motion of Mr. John, the bill was informally passed over, without further consideration.

H. 318. To amend section 3054 (3465) of the code of Alabama of 1886,

Was read a third time, at length, and passed—yeas 52, nays 0.

Yeas:

Messrs. Barren, Beeson, Bellinger, Brown of Russell, Calhoun, Cameron, Coleman, Curtis, Dale, Davis, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Gibbons, Graves, Harris, John, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Meador, Meadows, Mills, Mixon, McClusky, McQueen, Roach, Robbins, Rogers, Rowe, Routon, Sanford, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—52.

H. 380. To make appropriation to pay a certain reward for absconding felons earned during the fiscal year 1893,

Was read a third time, at length, and passed—yeas 47, nays 4.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Came-52h

ron, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Fielding, Fleming, Fletcher, Forman, Franklin, Fulton, Gibbons, Graves, Jinks, John, Knight, Kyle, Langley, Lipscomb, Maples, Meadows, Mahan, Mixon, Montgomery, Moore, O'Brien, Reaves, Roach, Robbins, Robinson, Rogers, Routon, Seale, Smith of Greene, Smith of Mobile, Ward, Williams of Henry, Wood—47.

Nays:

Messrs. Boykin, Burks, Cole, Coleman—4.

H. 424. To amend section 18 of the regulations of the harbor of Mobile, published and promulgated pursuant to the act to provide for the publication and distribution of the code of Alabama, approved February 21, 1887,

Was, on motion of Mr. Robinson, indefinitely postponed.

H. 308. To secure prompt payment of wages to laborers, mechanics or other wage-earners employed in mining and manufacturing,

Was amended, read a third time at length and passed—yeas 78, nays 2.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Burks, Burns, Calhoun, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Graves, Harris, Hearn, Jackson, Jinks, John, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Rabb, Rand, Roach, Robinson, Rogers, Rowe, Routon, Savage, Screws, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—78.

Nays :

Messrs. Speaker, Brown of Russell—2.

H. 10. To regulate the landing of goods by steamboats, vessels and other water craft,

Was read a third time at length and passed—yeas 59, nays 0.

Yeas:

Messrs. Banks, Beasley, Beeson, Bellinger, Brooks,

Burns, Calhoun, Cameron, Coleman, Cook of Talladega, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grayes, Harris, Hearn, Jinks, John, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Meador, Meadows, Mahan, McCorvey, Ott, Reaves, Roach, Robinson, Rowe, Routon, Smith of Autauga, Smith of Butler, Smith of Greene, Taylor, Tuck, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry, Wood—69.

H. 391. TO prohibit the selling, bartering, exchanging or giving away of spirituous, vinous or malt liquors, intoxicating bitters or beverages, in beat eight and beat eighteen, Elmore county, Alabama,

Was read a third time, at length, and passed—yeas 65, nays 2.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Burks, Burns, Calhoun, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, John, Knight, Langley, Maples, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, Ott, Rabb, Reaves, Roach, Robbing, Rogers, Rowe, Routon, Scarborough, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—65.

Nays:

Messrs. Brown of Russell, Cameron—2.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended as therein shown, and as amended, has passed the following house bills :

H. 917. To create the town of Greensboro, Alabama, a separate school district, to incorporate the same, and define its powers and duties, and to provide for the maintenance and management of the public schools of said district;

H. 314. To amend an act entitled an act to regulate the mode of selecting, drawing and empanneling grand

and petit jurors for the county of Mobile, approved February 20th, 1883, and to amend section three of an act entitled an act to amend sections six, eight, ten, eleven and thirteen of an act entitled an act to regulate the mode of selecting, drawing and empanneling grand and petit jurors for the county of Mobile, approved February 20th, 1883;

H. 292. To appropriate the sum of two hundred and thirty-nine and 22-100 (\$239.22) dollars to pay the expenses of the supreme court judges and of the witnesses for the state in the impeachment proceedings against Jno. B. Tally;

H. 576. To levy a tax, state and county, on all peddlers of road carts, sewing machines, cooking stoves, watches, bed quilts, clocks, and balmorals in the counties of Wilcox, Hale, Dallas, Macon, Calhoun, Chambers, Marengo, Sumter, Choctaw, Lowndes, Talladega, Barbour, Elmore, Coosa, Tallapoosa, Clarke and Madison ;

H. 763. To incorporate North Alabama College, at Fort Payne, DeKalb county, Alabama ;

H. 530. For the preservation of game in Madison county,

And has passed the following house bills :

H. 449. For relief of the sureties of R. A. Tompkins, late tax collector of Franklin county ;

H. 577. To establish a separate school district to be known as the Anton school district, in Winston county, Alabama;

H. 187. To confirm the charter of the Bessemer Building and Loan Association, to provide for the increase of the capital stock, to authorize it to sell surplus money at private sale, to invest unsold money, to buy, sell, lease, or otherwise dispose of real estate, to erect buildings, or improvements, to borrow money and to provide for the increase of the capital stock, and to extend the time within which said association shall continue to exist, as a corporation ;

H. 1029. To fix the time when the officers of Phenix City, Alabama, elected hereafter shall qualify and enter upon the duties of the office ;

H. 122. To amend an act to establish the criminal court of Jefferson county, approved February 18, 1889;

H. 123. To amend sections four (4) and ten (10) of

an act to amend an act to expedite the trial of capital cases in Jefferson county, approved February 11th, 1891;

H . 242. To amend section 3089 of the code so far as the same relates to Perry county ;

H. 289. To regulate proceedings in garnishment cases in Jefferson county, Alabama;

H. 336. To provide a clerk for the county court of Clarke county, and to regulate his fees ;

H. 338. To repeal an act entitled an act in relation to trials for misdemeanors in Tuscaloosa and other counties therein named, approved March 19, 1875, so far as the same applies to Clarke county, and to provide for the disposition of certain cases now pending in the county court of Clarke county ;

H . 400. To repeal an act entitled an act to amend an act to more effectually provide for the payment of grand and petit jurors in the county of Washington, approved February 19th, 1875, and to repeal an act entitled an act to more effectually provide for the payment of grand and petit jurors of the county of Washington ;

H. 773. For the relief of S. W. Chadwick, register of Hale county, for services rendered ;

H. 804. To further provide for and regulate the trial of misdemeanors in Washington county ;

H. 384. To better prevent the commission of trespass upon lands in Wilcox county, Alabama ;

H. 401. To provide for the county treasurer keeping a sufficient fund to pay grand and petit jurors and members of the court of county commissioners, and county stationery bills, in Washington county ;

H. 629. To repeal an act entitled an act to provide for the compensation of the superintendent of the county poor-house in Limestone county, Alabama, approved February 23rd, 1893;

H. 746. For relief of S. W. McDowell;

H. 354. To refund to Mrs. N. E. Young one hundred and twenty (\$120.00) dollars paid into the state treasury by her for the purchase of certain lands which had been bid in by the state for taxes, but which were erroneously so sold and bid in ;

H. 264. To incorporate the intendant and trustees of Hatchet Creek camp ground and preserve order at said camp ground;

H. 433. To authorize the city council of Selma to issue bonds and borrow money for the purpose of providing and maintaining a system of water-works in Selma.

W. L. CLAY,  
Secretary.

SENATE MESSAGE.

The house concurred in the senate amendments to

H. 917. To create the town of Greensboro, Alabama, a separate school district, to incorporate the same and define its powers and duties, and to provide for the maintenance and management of the public schools of said district,

Yeas 60, nays 0. ;

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ellis, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Jackson, Jinks, John, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Mayfield, Meador, Meadows, Mahan, Mixon, Moore, McCorvey, McQueen, Ott, Reaves, Rowe, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Summers, Ward, Wheelless, Willett, Williams of Henry, Wood—60.

Also to

H. 314. To amend an act entitled an act to regulate the mode of selecting, drawing and empanneling grand and petit jurors for the county of Mobile, approved February 20th, 1883, and to amend section three of an act entitled an act to amend sections six, eight, ten, eleven and thirteen of an act entitled "an act to regulate the mode of selecting, drawing and empanneling grand and petit jurors for the county of Mobile," approved February 20, 1883,

Yeas 63, nays 0.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks,

Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Gains, Gewin, Gibbons, Graham, Grant, Jinks, John, Kennedy, Killebrew, Knight, Langley, Lipscomb, Manning, Maples, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, McCorvey, McQueen, O'Brien, Ott, Perry, Robbing, Robinson, Rogers, Rowe, Sanford, Scarborough, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Willett, Williams of Henry, Wood—63.

Also to

H. 292. To appropriate the sum of two hundred and thirty-nine and 22-100 (\$239.22) dollars to pay the expenses of the supreme court judges and of the witnesses for the state in the impeachment proceedings against Jno. B. Tally.

Yeas 42, nays 10.

Yeas:

Messrs. Speaker, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Camp, Cook of Wilcox, Dale, Davis, Fleming, Fletcher, Gibbons, Graves, Jinks, Killebrew, Maples, Meador, Meadows, Mills, Mixon, Montgomery, Moore, McCorvey, McQueen, O'Brien, Roach, Rogers, Rowe, Routon, Sanford, Seale, Smith of Autauga, Smith of Mobile; Summers, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—42.

Nays:

Messrs. Banks, Burks, Franklin, Gains, Hearn, Kennedy, Kyle, Mahan, Ott, Smith of Greene—10.

Also to

H. 763. To incorporate North Alabama College, at Fort Payne, DeKalb county, Alabama.

Yeas 54, nays 0.

Yeas :

Messrs. Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Curtis, Dale, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gibbons, Graves, John, Kennedy, Killebrew, Knight, Langley, Lipscomb, Mastin, Mayfield, Meador, Meadows, Mills, Mixon, Montgomery, McCorvey, McQueen, O'Brien, Reaves, Roach, Rowe, Smith of Autauga, Smith of Butler, Smith

of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry, Wood—54.

And the house non-concurred in the senate amendment to house bill 576, and asked a committee of conference thereon.

House committee : Messrs. Dale, Boykin and Hearn.

And the house non-concurred in the senate amendment to house bill 530, and asked a committee of conference thereon.

House committee : Messrs. Rowe, Ott and Mayfield.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

The committee on enrolled bills report the following bills correctly enrolled :

H. 42. To incorporate the Independent Brothers of Love ;

H . 235. To amend section 2 of an act entitled an act to authorize corporations organized under the general incorporation laws of the state or which have been chartered by an act of the general assembly prior to the enactment of the general incorporation laws of this state of 1867 to alter and amend their charters, approved December 12, 1888 ;

H. 322. To provide for the election of a county superintendent of education of Sumter county;

H. 751. To provide for the time of taking up the criminal dockets in the counties of Bullock, Dale and Lee ;

H. 799. To amend sections one and two of an act to establish partial stock law districts in Talladega county, approved February 21, 1887, and all acts amendatory of said sections of said act.

J. H. MONTGOMERY,  
Chairman.

#### SIGNING OF BILLS.

The speaker of the house in the presence of the house immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set out in the foregoing report of committee on enrolled bills.



H. 327. To prohibit the sale, giving away, or otherwise disposing of vinous, malt, or spirituous liquors, within four (4) miles of Calvert chapel, in Washington county, Alabama.

The bill was amended so as to read "two" miles instead of "four" miles of said Calvert chapel.

Also, to include 3 miles Hill chapel, in Colbert county; 3 miles St. John's Baptist Church, in Pike county, or within 3 miles of Friendship M. E. Church, in Pike county; or in 5 miles M. E. Church South, in Citronelle, Alabama.

Mr. Knight moved to amend so as to include the entire state.

Mr. John moved to table Mr. Knight's motion, and Mr. John's motion carried.

And the further consideration of the bill was postponed till the return of its author, Mr. Turner, to the hall of the house.

And the house recessed till 3 o'clock this afternoon.

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#### AFTERNOON SESSION.

#### BILLS ON THIRD READING.

H. 371. To amend an act entitled an act to provide for the election of county superintendents of education, approved February 13th, 1889.

Mr. Hearn offered an amendment to strike from the proviso of the bill the county of Choctaw.

Carried.

Mr. Knight moved to reconsider the vote by which Mr. Hearn's amendment was adopted.

Mr. Hearn moved to table Mr. Knight's motion, which was carried.

Mr. Kyle offered an amendment excepting from the proviso of the bill the counties of Morgan, Chambers and Marion, and the bill as amended,

Was read a third time, at length, and passed—yeas 52, nays 15.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Brown

of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cole, Coleman, Cook of Wilcox, Deans, Ellis, Ewing, Fielding, Fleming, Forman, Franklin, Fulton, Gains, Gewin, Graham, Harris, Hearn, Hill, Jinks, John, Knight, Langley, Lipscomb, Maples, Meadows, Mahan, Mixon, McQueen, O'Brien, Rabb, Rand, Reaves, Roach, Robinson, Rogers, Routon, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Tuck, Wheelless, Willett, Williams of Bullock—52.

Nays:

Messrs. Boykin, Cameron, Davis, Gibbons, Kennedy, Killebrew, Kyle, Mayfield, Moore, McClusky, Ott, Rowe, Smith of Greene, Ward, Williams of Henry—15.

s. 135. To authorize the manufacturers of wine, made of the juice of grapes or berries, to sell the same at the place of manufacture without taking out a license therefor,

Was amended and as amended was read a third time at length and passed—yeas 44, nays 25.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Brown of Russell, Burks, Burns, Calhoun, Cameron, Cole, Coleman, Davis, Deans, Ellis, Fielding, Fuller, Gains, Gewin, Graham, Graves, Jackson, Jinks, Kennedy, Knight, Kyle, Langley, Maples, Meadows, Montgomery, Moore, McClusky, McCorvey, McQueen, Robins, Robinson, Rogers, Smith of Autauga, Smith of Mobile, Taylor, Tuck, Ward, Wheelless, Williams of Henry—44.

Nays:

Messrs. Boykin, Cook of Talladega, Cook of Wilcox, Ewing, Forman, Franklin, Fulton, Gibbons, Harris, Hearn, Hill, John, Knight, Mahan, Mills, Mixon, Ott, Rabb, Rand, Roach, Rowe, Scarborough, Smith of Greene, Summers, Williams of Bullock, Wood—25.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has passed the following house bills :

H. 799. To amend sections one and two of an act to establish partial stock law districts in Talladega county, approved February 21, 1887, and all acts amendatory of said sections of said act;

H. 42. To incorporate the Independent Brothers of Love;

H. 235. To amend section 2 of the act entitled an act to authorize corporations organized under the general incorporation laws of the state, or which have been chartered by an act of the general assembly prior to the enactment of the general incorporation laws of this state of 1867 to alter and amend their charters, approved December 12, 1888 ;

And has originated and passed the following bills:

s. 369. To prescribe the fees and duties of Mobile bar pilots;

s. 295. To amend an act to require all corporations to pay a fee or license for the use of the state before commencing business in this state, approved February 18th, 1893;

s. 403. To provide for the working and improving of public roads situate in a part of Mobile county ;

s. 395. To provide a sinking fund for the liquidation of the bonded indebtedness of the state ;

s. 404. To authorize the secretary of state to sell the lands known as the swamp and overflowed lands and the indemnity lands belonging to the state ;

s. 407. To authorize and empower the court of county commissioners of Jefferson county to employ mounted policemen;

s. 297. To incorporate the Autauga Manufacturing Company, in Autauga county, Alabama ;

s. 412. To authorize the election of a city treasurer for the city of Troy, in Pike county, Alabama;

s. 366. To amend an act entitled an act to amend section 4053 of the code of Alabama, so far as relates to the county of Madison ;

s. 391. To confirm the incorporation of the Standard Club of Huntsville, Alabama, and to enlarge the powers and capacities of said club;

s. 423. For the more efficient government of the district of Opelika, by increasing the number of commissioners from five to seven, one of whom to be president, and one recorder, and authorizing the election of clerk and chief of police and other subordinate officers, by said board;

s. 422. To authorize the court of county commis-

sioners of Tuscaloosa county to issue and sell bonds of said county to an amount not to exceed twenty thousand dollars, for the purpose of placing a draw in the bridge across the Warrior river at Tuscaloosa, Alabama, thus converting said bridge in a draw-bridge, of strengthening and improving said bridge throughout its entire length ; and of erecting and maintaining other bridges in said county ;

s. 379. To authorize the mayor and aldermen of Birmingham to provide the means necessary to maintain fire protection in the city of Birmingham by special assessment on the value of property as enhanced by such protection;

s. 356. To prohibit fishing, netting, seining or otherwise catching fish from the stream known as Kellet creek, where the same passes through beat No. 2, section 10, Tallapoosa county ;

s. 393. To regulate the fine and forfeiture fund, and the hard labor fund of Dallas county ;

s. 428. To provide a system of water works for the city of Greenville, and to authorize the mayor and city council of Greenville, Alabama, to issue bonds for an amount not exceeding twenty thousand dollars, for the purpose of purchasing a system of water works ;

s. 325. To amend an act entitled an act for the relief of needy confederate soldiers and sailors residents of Alabama, who from wounds or other causes are now unable to earn a livelihood and for the widows of such as were killed or died in said war, and have not since remarried, approved February 13th, 1891.

In accordance with a joint resolution heretofore adopted, the president of the senate has erased his signature from the house bills 478 and 518, respectively, and the said bills are herewith transmitted to the house to enable you to so erase your signature from said bills.

And the senate insists on its amendment to the house bill

H. 530. For the preservation or game in Madison county,

And accedes to the request of the house for a committee of conference thereon;

Committee on part of senate Messrs. Hundley and Brewer,

Also insists on its amendment to the house bill

H. 576. To levy a tax, state and county, on all peddlers of road carts, sewing machines, cooking stoves, watches, bed-quilts, cloaks, and balmorals in the counties of Wilcox, Hale, Dallas, Macon, Calhoun, Chambers, Marengo, Sumter, Choctaw, Lowndes, Talladega, Barbour, Elmore, Coosa, Tallapoosa, dark and Madison,

And accedes to the request of the house for a committee of conference thereon ;

Committee on the part of the senate, Messrs. Kilpatrick, McRae, and Rogers.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees, as follows:

To local legislation, s. 369, 356, 393 ;

To corporations, s. 295, 297, 423, 422, 379, 428, 391 ;

To public roads and highways, s. 403 ;

To ways and means, s. 395 ;

To judiciary, s. 404, 407 ;

To privileges and elections, s. 412 ;

To revision of laws, s. 366 ;

To appropriations, s. 325.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bills, your signature thereto is requested ;

s. 128. To provide a penalty against any county court judge or judge of any county court, for failure to hold court, and to prescribe how such penalty shall be enforced ;

s. 317. To require the superintendent of the Faunsdale school district to pay the teachers monthly ;

s. 131. To amend section four of an act entitled an act to authorize the increase of the capital stock and bonded indebtedness of private corporations organized under special charter, approved December 10, 1890 ;

s. 241. To provide for repairing the macadamized roads in Colbert county;

s.168. To establish a county school book board to select a uniform series of text books for use in the public schools in the counties of Walker and Fayette;

s. 237. To authorize and require the commissioners court of Sumter county to set apart and appropriate money from the general fund of said county with which to pay and discharge certificates of state witnesses, issued by the foreman of the grand jury and by the clerk of the circuit court and county court of said county, and officers' fees, which by law become a good claim against the fine and forfeiture fund of said county, after the approval of this act, and to regulate the manner of said payments; also, for the re-registration of outstanding valid claims against the fine and forfeiture fund of said county and to regulate the payment of the same;

s. 311. To authorize the Van Kirk Land and Construction Company to borrow money and secure its payment;

s.242. To change the boundary lines of the counties of Colbert, Franklin and Lawrence.

W. L. CLAY,  
Secretary.

#### SIGNING BILLS

The speaker of the house in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set forth in the foregoing message from the senate.

And the house recessed till 7 :30 o'clock this evening.

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#### NIGHT SESSION.

#### BILLS ON THIRD READING.

H. 350. To regulate the election of county commissioners in Lawrence, Cullman and Winston counties.

The substitute offered by the committee was tabled.

The bill was amended so as to include the counties of Geneva and Blount.

And the bill,

Was read a third time, at length, and passed—yeas 53, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Brown of Russell, Burks, Burns, Cameron, Cole, Cook of Talladega, Cook of Wilcox, Deans, Ellis, Fielding, Fleming, Ford, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Graves, Harris, Hearn, Jinks, Killebrew, Kyle, Langley, Lipscomb, Maples, Mayfield, Mahan, Mixon, McQueen O'Brien, Ott, Rand, Reaves, Roach, Robinson, Rowe, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Tuck, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—53.

s. 293. To amend sections one, two, three, four, six, seven and eight of an act approved February 25th, 1889, entitled an act to amend an act entitled an act to establish and incorporate Scott academy, at Scottsboro, in Jackson, county, approved February 16th, 1883,

Was amended, read a third time at length, and passed yeas 60, nays 0.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Cameron, Cole, Cook of Talladega, Cook of Wilcox, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton; Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jinks, Kyle, Langley, Lipscomb, Maples, Meador, Mahan, Mills, Mixon, McQueen, O'Brien, Roach, Robbins, Robinson, Rowe, Routon, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—60.

H. 768 was indefinitely postponed.

H. 666. To amend an act to incorporate the inhabitants and territory formerly embraced within the corporate limits of the municipal corporation (since dissolved) styled the city of Selma, and to establish a local government therefor, approved February 17, 1883, by amending section seven thereof,

Was read a third time, at length, and passed—yeas 61, nays 0.

Yeas:

Messrs. Banks, Beasley, Beeson, Boykin, Brown

of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ewing, Fielding, Fleming, Ford, Forman, Fuller, Fulton, Gains, Gewm, Graham, Grant, Graves, Harris, Hearn, Hill, Jinks, Killebrew, Kyle, Langley, Lipscomb, Maples, Meadows, Mahan, Mills, Mixon, Montgomery, McQueen, Perry, Rand, Roach, Robinson, Rowe, Routon, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Wheelless, Williams of Bullock, Williams of Henry, Wood—61.

H. 6 was indefinitely postponed.

s. 173. To amend an act entitled an act to incorporate the city of Columbia, in the county of Henry, approved February 21, 1893,

Was amended, read a third time at length and passed—yeas 56, nays 0.

Yeas:

Messrs. Beasley, Bellinger, Boykin, Brooks, Brown of Russell, Burks, Burns, Calhoun, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Davis, Fleming, Fuller, Fulton, Gains, Gibbons, Graham, Graves, Harris, Hearn, Jinks, Kelly, Killebrew, Kyle, Langley, Lipscomb, Maples, Mayfield, Meadows, Mahan, Mills, Mixon, Montgomery, McQueen, O'Brien, Ott, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—56.

H. 1152. To fix the time for holding circuit court in the counties of Clay and Cleburne ;

Was read a third time, at length, and passed—yeas 60, nays 0.

Yeas:

Messrs. Beasley, Beeson, Boykin, Brown of Russell, Burks, Calhoun, Cole, Coleman, Davis, Ellis, Ewing, Fielding Fleming, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Graves, Harris, Hearn, Jinks, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mills, Mixon, Montgomery, McQueen, O'Brien, Patton, Prowell, Reaves, Roach, Robbins, Robinson, Rowe, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of



Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Williams of Bullock, Wood—60.

s. 260. To amend an act to establish the George N. Gilmer school district in Lowndes county, approved February 14th, 1887,

Was read a third time at length, and passed—yeas 59, nays 0.

Yeas:

Messrs. Beasley, Boykin, Brown of Russell, Burks, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ellis, Fielding, Fleming, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin Gibbons, Graham, Graves, Jinks, Kelly, Killebrew, Kyle, Langley, Lipscomb, Maples, Mayfield, Meadows, Mahan, Mills, Mixon, Moore, McClusky, McQueen, O'Brien, Ott, leaves, Roach, Robbins, Robinson, Rowe, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—59.

H. 1158. To fix the time and to define the terms for holding the circuit court in the several counties of the tenth judicial circuit,

Was read a third time at length and passed—yeas 55, nays, 0.

Yeas:

Messrs. Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Davis, Ellis, Fielding, Fleming, Fletcher, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Kelly, Killebrew, Kyle, Langley Lipscomb, Maples, Mayfield, Meadows, Mahan, Mills, Mixon, Montgomery, McQueen, O'Brien, Roach, Robinson, Robbins, Rogers, Rowe, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Wood—55.

H. 597. For the relief of Cyrus Boykin of Washington county,

Was read, a third time at length and passed—yeas 58, nays 0.

Yeas:

Messrs. Banks, Baron, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron,

Camp, Cole, Coleman, Cook of Talladege, Cook of Wilcox, Davis, Ellis, Fielding, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Jinks, Kelly, Killebrew, Kyle, Langley, Lipscomb, Maples, Mayfield, Meadows, Mahan, Mixon, Montgomery, Moore, McQueen, O'Brien, Ott, Perry, Prowell, Reaves, Roach, Robbins, Robinson, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Ward, Wheelless, Williams of Henry, Wood—58.

H. 624. To create a separate school district to be known as Headland school district in Henry county,  
Was read a third time at length and passed—yeas 61,  
nays 0.

Yeas :

Messrs. Banks, Beasley, Beeson, Boykin, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Davis, Ellis, Fielding, Fleming Ford, Franklin, Fuller, Gains, Gewin, Gibbons, Graham, Graves, Hill, Jinks, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mayfield, Meadows, Mahan, Mixon, Montgomery, Moore, McCorvey, McQueen, Ott, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—61.

H. 166. For the relief of W. W. Thompson, sheriff of Macon county,  
Was read a third time at length and passed—yeas 58,  
nays 0.

Yeas :

Messrs. Speaker, Beasley, Beeson, Boykin, Brown of Russell, Calhoun, Cameron, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Jinks, Kelly, Killebrew, Kyle, Langely, Lipscomb, Manning, Maples, Mayfield, Meadows, Mahan, Mills, McQueen, O'Brien, Patton, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Taylor, Tuck, Ward, Wheelless, Williams of Bullock, Wood—58.

H. 971. For the relief of H. L. Martin, register in chancery for Macon county Alabama,

Was read a third time at length and passed—yeas 57, nays 0.

Yeas:

Messrs. Speaker, Beasley, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Coleman, Cook of Talladega, Cook of Wilcox, Davis, Fielding, Ford, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Jinks, Kelly, Killebrew, Kyle, Langley, Lipscomb, Manning, Maples, Mayfield, Meadows, Mahan, Mills, Mixon, Montgomery, McQueen, O'Brien, Rand, Roach, Robbins, Robinson, Rowe, Routon, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Ward, Wheelless, Williams of Henry, Wood—57.

s. 264. To repeal an act entitled an act to regulate the trials of misdemeanors in Madison county, approved February 9, 1877 and all acts amendatory thereof, and to provide for the disposal of cases, remaining undetermined on the docket of the county court of Madison county,

Was read a third time at length and passed—yeas 59, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Coleman, Cook of Talladega, Cook of Wilcox, Davis, Deans, Ewing, Fielding, Fleming, Forman, Franklin, Fuller, Fulton, Gibbons, Graves, Hill, Jinks, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mahan, Mixon, Montgomery, McQueen, O'Brien, Ott, Roach, Robbins, Robinson, Rowe, Routon, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Ward, Wheelless, Williams of Bullock, Wood—59.

H. 412. To amend the charter of the Southern Associated Press, to ratify and confirm all its acts and doings, and all the acts and doings of its stockholders, subscribers to stock and officers before and after the issuance of its charter, and to confer on it additional powers, rights and liabilities,

Was read a third time-at length and passed—yeas 65, nays 0.

Yeas :

Messrs. Speaker, Barron, Beasley, Beeson, Bellinger, Boykin, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Davis, Deans, Ellis, Ewing, Fleming, Ford, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Kelly, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Mills, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Ott, Reaves, Roach, Robbins, Robinson, Rowe, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—65.

H. 640. To create a separate school district in the county of Franklin, to be called Newburg Public School District, and to define the-boundaries thereof,

Was read a third time at length and passed—yeas 56, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Davis, Ellis, Fielding, Fleming, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Graham, Graves, Kelly, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Meadows, Mahan, Mixon, Montgomery, McQueen, O'Brien, Reaves, Roach, Robbins, Robinson, Rowe, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—56.

H. 994. To prohibit the sale, giving away, delivery, transferring, parting with, procuring or other disposition of spirituous, vinous or malt liquors or any intoxicating bitters within five miles of Andalusia High School, Baptist and Methodist churches,

Was read a third time at length and passed—yeas 58, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Boykin, Brown of

Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cole, Cook of Talladega, Cook of Wilcox, Davis, Ellis, Fielding, Fleming, Forman, Franklin, Fulton, Gewin, Gibbons, Graham, Graves, Harris, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Meadows, Mahan, Mixon, Montgomery, Moore, McClusky, McCorvey, O'Brien, Ott, Hand, Roach, Robbins, Robinson, Rowe, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Ward, Williams of Bullock, Williams of Henry, Wood—58.

H. 610. To incorporate the Attalla normal college,  
Was read a third time at length and passed—yeas 57,  
-nays 0.

Yeas:

Messrs. Speaker, Banks, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Davis, Fleming, Ford, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Kelly, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Meadows, Mahan, Mills, Mixon, Montgomery, McClusky, Rand, Roach, Robbins, Robinson, Rowe, Routon, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Ward, Wheelless, Williams of Bullock, Wood—57.

H. 948. To change and more permanently establish the line between the counties of Blount and Walker,  
Was read a third time, at length, and passed—yeas 51,  
days 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Davis, Ellis, Fleming, Ford, Franklin, Fulton, Gewin, Graham, Kelly, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Meadows, Mahan, Mills, McCorvey, McQueen, Roach, Robbins, Robinson, Rogers, Rowe, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—51.

H. 1059. To amend an act entitled an act to incorporate the Phoenix City Railway Company, define its-  
rights, privileges, powers and franchises, approved De-  
cember 19, 1894,

Was read a third time at length, and passed—yeas;  
51, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Boykin, Brown-  
of Conecuh, Brown of Russell, Burks, Burns, Calhoun,  
Cameron, Cole, Cook of Talledega, Curtis, Davis, Flem-  
ing, Ford, Forman, Franklin, Fulton, Gewin, Graves,  
Hearn, Kelly, Killebrew, Knight, Kyle, Langley,  
Maples, Meadows, Mahan, Mills, Mixon, O'Brien, Ott,  
Rand, Reaves, Roach, Robinson, Rowe, Scarborough,  
Smith of Autauga, Smith of Butler, Smith of Greene,  
Smith of Mobile, Summers, Tuck, Ward, Wheelless, Wil-  
liams of Bullock, Wood—51.

s. 316. To amend an act to incorporate the Louise-  
Short Baptist Widows and Orphans Home No. 310 ap-  
proved February 14, 1891,

Was read a third time, at length, and passed—yeas  
51, nays 0.

Yeas.

Messrs. Speaker, Beasley, Beeson, Boykin, Brown of  
Conecuh, Brown of Russell, Burks, Burns, Cameron,  
Cole, Coleman, Cook of Talladega, Cook of Wilcox,  
Davis, Deans, Ellis, Fleming, Forman, Fuller, Fulton,  
Gewin, Gibbons, Graves, Jinks, Kelly, Killebrew,  
Knight, Kyle, Langley, Maples, Meadows, Mahan, Mills,  
Mixon, O'Brien, Ott, Rand, Roach, Robinson, Rowe,  
Scarborough, Smith of Autauga, Smith of Butler, Smith  
of Greene, Smith of Mobile, Summers, Tuck, Ward,  
Wheelless, Williams of Bullock, Wood—51.

H. 596. To regulate the trial of certain misdemeanors  
committed in Russell county,

Was read a third time, at length, and passed—yeas  
53, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Boykin, Brown of  
Conecuh, Brown of Russell, Burks, Burns, Calhoun,  
Cameron, Cole, Coleman, Cook of Talladega, Cook of  
Wilcox, Davis, Deans, Ellis, Fielding, Fleming, Ford,  
Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gib-

bons, Graham, Grant, Graves, Jinks, Kelly, Killebrew, Kyle, Langley, Lipscomb, Meadows, Mahan, Mixon, O'Brien, Ott, Reaves, Robbins, Robinson, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Wheelless, Williams of Bullock, Wood—53.

H. 663. To establish a separate school district to be known as Hulaco school district in Cullman county, Alabama,

Was read a third time, at length, and passed—yeas 52, nays 0.

Yeas:

Messrs. Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Cole, Cook of Talladega, Cook of Wilcox, Davis, Deans, Fielding, Ford, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Graves, Kelly, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Meadows, Mahan, Mills, Mixon, O'Brien, Ott, Patton, Reaves, Robinson, Rowe, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Wheelless, Williams of Bullock, Williams of Henry, Wood—52.

H. 621. To authorize the court of county commissioners of Hale county to issue bonds for the purpose of paying off and discharging the old bonds of said county issued in aid of Selma, Marion and Memphis Railroad Company,

Was amended, read a third time, at length, and passed—yeas 51, nays 1.

Yeas :

Messrs. Speaker, Beeson, Boykin, Brown of Russell, Burks, Burns, Calhoun, Cameron, Coleman, Cook of Wilcox, Deans, Fielding, Ford, Forman, Fulton, Gains, Gewin, Gibbons, Graham, Graves, Jinks, Kelly, Knight, Kyle, Lipscomb, Maples, Mayfield, Meadows, Mills, Mixon, McQueen, O'Brien, Ott, Rand, Reaves, Roach, Robinson, Rowe, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—51.

Nays: Mr. Montgomery.

H. 1090. For the relief of A. F. Wilson,

Was read a third time at length, and passed—yeas 59, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Boykin, Brooks, Brown of Russell, Burks, Burns, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Davis, Deans, Fielding, Fleming, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Jinks, Kelly, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Mahan, Mills, Mixon, Montgomery, McQueen, O'Brien, Ott, Reaves, Roach, Robinson, Rowe, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheeless, Williams of Bullock—59.

And the house adjourned till to-morrow morning at ten o'clock a. m.

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FORTY-SECOND DAY.

HOUSE OF REPRESENTATIVES;

February 7, 1895.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Rowe of the house.

A quorum was present.

LEAVE OF ABSENCE

Was granted to Messrs. Jackson, Gains, Ewing, Patton, McClusky, Rabb, Prowell and Grant, for one day.

REVISION OF JOURNAL.

The committee on the revision of the journal reported the journal of yesterday correct.

INTRODUCTION OF BILLS.

On a call of the counties bills were introduced,



severally read one time and referred to appropriate committees as follows:

By Mr. Kelly—

H. 1193. To provide for the permanent location of the county site of Calhoun county, by a vote of the qualified electors of said county,

Privileges and elections ;

By Mr. Knight—

H. 1194. Proposing an amendment to the constitution, exempting certain property for the use of every family of the state, from mortgage, levy or sale under legal process of any character whatever to be submitted to a vote of the legal voters of the state at the next general election for representatives,

Judiciary;

By Mr. Lipscomb—

H. 1195. To amend sections 4098 and 4099 of the code of 1886,

Revision of laws ;

By Mr. Langley (by request)—

H. 1196. To authorize the constable of precinct No. 7, of Tallapoosa county, to appoint deputies,

Local legislation;

By Mr. Wood—

H. 1197. To amend an act entitled an act to incorporate the town of Notasulga, in the county of Macon, approved February 7th, 1893,

Local legislation ;

By Mr. Ward—

H. 1198. For the relief of R. C. Granbury, tax assessor of Henry county,

Appropriations;

By Mr. Meador—

H. 1199. To pay for articles purchased for the use of the senate and house of representatives and for repairing the senate chamber and hall of the house of representatives, and for repairing and furnishing the rooms of the engrossing and enrolling clerk of the house of representatives,

Appropriations;

Also,

H. 1200. To refund to J. P. Camp, of Cherokee county, or his legal representatives, one hundred and seven-

ty-four and 40-100 dollars, the sum which he paid to the State of Alabama, with interest for certain lands to which the state had no title,  
Appropriations.

#### BILLS ON SECOND READING.

The chairmen of the several committees, reported favorably on the following bills :

H. 526. To amend and re-enact sections 396, (302), 397, (303), 398 (304), 399 (305), 400, (306), 401, (307), 402, (309), 403, (310), 404, (311), 405, (312), and 406, (313), of the code of Alabama ;

H. 627. To amend sections 352, 258, 367, 381, 383, 385, 387, and 392 of the code of Alabama,  
(Without recommendation) ;

H. 628. To amend an act to further regulate elections in the State of Alabama, approved February 21, 1893,  
(Without recommendation) ;

H. 752. To relieve Eva Dohemir, of Butler county, Alabama, of the disabilities of non-age ;

H. 787. To incorporate the Hamilton High School in Marion county, Alabama ;

H. 876. To charter the farmers Mutual Live Stock-Insurance Association of Alabama ;

H. 854. To establish a separate school district for the town of Geneva, in Geneva county, Alabama,  
(With amendment) ;

H. 919. To provide for contesting the election for governor, secretary of state, state auditor, state treasurer and attorney general,  
(Without recommendation) ;

H. 1078. To incorporate the South Alabama and Gulf Railroad Company ;

H. 1075. To authorize the mayor and city council of Fort Payne to exempt from municipal taxation money and property invested in manufacturing ;

H. 1079. To establish an agricultural school and experiment station at Blountsville, Alabama, Cullman, Alabama, or Haleyville, Alabama, to be located by the governor, superintendent of education and commissioner of agriculture,  
(With amendment and minority report) ;

H. 756. To amend the revenue laws of the State of Alabama;

H. 1089. To require owners or proprietors of Ferry Flats to have railing put on the sides of them ;

H. 1108. To regulate and control the operation and management of savings banks and institutions for savings in this state;

H. 1153. To confirm the incorporation of the Birmingham Dental College and to enlarge the powers of said college;

H. 1172. To confirm the incorporation of the Standard Club of Huntsville, Alabama, and to enlarge the powers and capacities of said club ;

H. 1173. To organize a medical department of the Alabama state troops ;

H. 1176. To amend section 2 of an act entitled an act to incorporate the city of Ashville, in St. Clair county, Alabama, approved February 10, 1891,

(With amendment) ;

H. 1128. To require a more accurate description of property as to its value when a mortgage is given upon it;

H. 1179. To incorporate the Industrial Insurance Company of Birmingham, Alabama;

s. 309. To define the duties and responsibilities of overseers of public roads ;

s. 321. To establish a new charter for the city of Aniston ;

s. 340. To establish a separate school district in Gullman county to be known as the West Cullman school district;

s. 344. To define the authority of physicians in the sale of or dispensing of medicines and drugs;

s. 381. To amend section 185 of the code ;

s. 382. To amend section 191 of the code ;

s. 383. To amend section 171 of the code ;

s. 384. To amend section 174 of the code ;

s. 385. To provide for filling vacancies in the elective offices of the Alabama State troops ;

s. 386. To authorize the formation of a brigade of the Alabama state troops and to provide for the appointment of the officers thereof,

With amendment;

s. 387. To authorize an officer elected to the same office in another organization to accept such office without losing his rank ;

s. 388. To amend section 188 of the code ;

s. 389. To amend section 184 of the code,

With amendment:

H. 893. To regulate the holding of lands in the State of Alabama by aliens or by any firm, company or corporation, a majority of whose property or stock is held and bona fide owned by an alien or aliens ;

H. 1185. Giving a lien to laborers and contractors who construct railroads ;

H. 1160 was returned by the corporations committee and referred to appropriations.

The above and foregoing bills, were severally read a second time, and placed on the calendar.

On motion of Mr. John, the senate bill s. 106 was taken from adverse report and referred to the judiciary committee.

H. 1128 was taken from adverse report read a second time and placed on the calendar.

The substitute to

H. 756 was ordered printed, and the bill was made a special order for 11 o'clock to-morrow morning, and from day to day till disposed of.

H. 1078 was made a special order for to-morrow immediately after the reports of the standing committees.

H. 526, 627, 628, 919 were each made a continuing special order immediately after the disposition of the revenue bill.

#### REPORT OF RULES COMMITTEE.

The rules committee having favorably reported the resolution offered by Mr. McCorvey relative to an interstate national guard encampment, the resolution was adopted.

Yeas 46, nays 30.

Yeas :

Messrs. Speaker, Barren, Brooks, Brown of Russell, Burns, Calhoun, Camp, Cook of Wilcox, Dale, Davis, Fleming, Fletcher, Fulton, Gewin, Gibbons, Graves, Jinks, John, Kelly, Kennedy, Knight, Kyle, Lipscomb,

Mayfield, Meador, Montgomery, Moore, McClusky, McCorvey, O'Brien, Ott, Rand, Roach, Robinson, Rogers, Rowe, Sanford, Scarborough, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Williams of Bullock, Williams of Henry, Wood—46.

Nays:

Messrs. Beasley, Beeson, Brown of Conecuh, Burks, Cameron, Cole, Coleman, Cook of Talladega, Deans, Ellis, Fielding, Forman, Franklin, Fuller, Harris, Hearn, Killebrew, Langley, Meadows, Mahan, Mills, Mixon, Reaves, Robbins, Routon, Savage, Smith of Butler, Summers, Taylor, Wheelless—30.

#### BILLS ON THIRD READING.

H. 1119. To provide for the revision, codification, digesting, and promulgation of the statutes of this state, both civil and criminal,

Was read a third time, at length, and passed—yeas 60, nays 1.

Yeas :

Messrs. Speaker, Barren, Beasley, Beeson, Brown of Conecuh, Brown of Russell, Burks, Burns, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Fielding, Fletcher, Forman, Fuller, Fulton, Gewin, Gibbons, Graves, Harris, Hill, John, Kennedy, Killebrew, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McQueen, O'Brien, Ott, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Taylor, Tuck, Williams of Bullock, Williams of Henry, Wood,—60.

Nays:

Mr. Taylor—1.

s. 37. To dispose of lands which have been, or which may hereafter be sold for taxes and bid in for the state, and which have not been redeemed or purchased from the state,

Was amended, read a third time at length and passed—yeas 59, nays 0.

Yeas:

Messrs. Barren, Boykin, Brooks, Brown of Russell,

Burks, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, John, Killebrew, Langley, Maples, Mayfield, Meador, Meadows, Mahan, Mixon, Montgomery, Moore, McClusky, McQueen, O'Brien, Ott, Perry, Prowell, Reaves, Roach, Robbing, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Williams of Bullock, Williams of Henry, Wood—59.

H. 932. To declare and vest in the incorporated cities and towns of this state, a lien on real estate for delinquent taxes due thereon or by the owner thereof,

Was read a third time at length and passed—yeas 55, nays 0.

Yeas :

Messrs. Banks, Beasley, Bellinger, Boykin, Brooks, Brown of Russell, Burks, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Fletcher, Ford, Forman, Franklin, Fuller, Graves, Harris, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mills, Mixon, Montgomery, McClusky, McCorvey, Patton, Roach, Robbins, Robinson, Rowe, Sanford, Savage, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—55.

H. 806. To amend section 3872 of the code of 1886, Was read a third time at length, and passed—yeas 55, nays 2.

Yeas:

Messrs. Boykin, Brown of Coneuch, Brown of Russell, Burks, Burns, Calhoun, Cameron, Cole, Coleman, Dale, Davis, Deans, Forman, Fuller, Fulton, Gains, Gibbons, Graham, Graves, Harris, Hearn, Hill, Kelly, Killebrew, Kyle, Langley, Maples, Meador, Mills, Mixon, Montgomery, McCorvey, McQueen, Perry, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—55.

Nays :

Messrs. Knight, Meadows—2.

Mr. Forman moved to reconsider the vote by which the following senate bill was passed, and was ordered to a third reading:

s. 57. To make United States license for the sale of spirituous, vinous or malt liquors, or of alcoholic bitters, cordials or beverages of any kind in violation in this state, prima facie evidence.

Mr. Forman's motion was carried and the bill was amended and as amended was read a third time, at length, and passed—yeas 53, nays 0.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Cole, Coleman, Cameron, Cook of Talladega, Cook of Wilcox, Davis, Deans, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Gains, Gibbons, Graham, Harris, John, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Mahan, Mixon, Montgomery, McClusky, McCorvey, McQueen, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Savage, Smith of Autauga, Smith of Greene, Smith of Mobile, Ward, Williams of Bullock, Williams of Henry, Wood—53.

H. 482. To amend sections 8 and 10 of an act to; create the board of education of the city of Birmingham and to prescribe the powers and duties of the same,

Was read a third time, at length, and passed—yeas 57, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Brooks, Brown of Conecuh, Brown of Russell, Camp, Cole, Coleman, Cook of Talladega, Davis, Deans, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graves, Hearn, Jinks, John, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Mastin, Meadows, Mahan, Mixon, Montgomery, Moore, McClusky, McQueen, O'Brien, Ott, Patton, Perry, Reaves, Roach, Robinson, Rogers, Rowe, Savage, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Taylor, Tuck, Ward, Williams of Bullock, Williams of Henry, Wood—57.

H. 222. To provide a lien for proprietors or keepers of hotels and boarding houses, and to repeal an act entitled "an act for the protection of landlords, proprietors or keepers of hotels and boarding houses," approved February 21, 1893,

Was amended, read a third time, at length, and passed—yeas 36, nays 16.

Yeas:

Messrs. Speaker, Barren, Beasley, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Cameron, Fielding, Fletcher, Forman, Fulton, Gewin, Gibbons, Kelly, Kennedy, Langley, Lipscomb, Mayfield, Meador, Mahan, Montgomery, McCorvey, O'Brien, Patton, Perry, Roach, Robinson, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Tuck, Turner, Williams of Bullock, Wood—36.

Nays :

Messrs. Coleman, Cook of Wilcox, Dale, Deans, Fleming, Fuller, Harris, Jinks, Killebrew, Kyle, Mixon, Reaves, Routon, Scarborough, Ward, Wheelless—16.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

The committee on enrolled bills have examined the following bills and find them correctly enrolled :

H. 122. To amend an act to establish the criminal court of Jefferson county, approved February 18, 1889 ;

H. 187. To confirm the charter of the Bessemer Building and Loan Association, to provide for the increase of the capital stock, to authorize it to sell surplus money at private sale, to invest unsold money, to buy, sell, lease, or otherwise dispose of real estate, to erect buildings, or improvements, to borrow money and to provide for the increase of the capital stock, and to extend the time within which said association shall continue to exist, as a corporation ;

H. 242. To amend section 3089 of the code so far as the same relates to Perry county ;

H. 264. To incorporate the intendant and trustees of Hatchett Creek camp ground and preserve order at said camp ground ;

H . 289. To regulate proceedings in garnishment cases in Jefferson county, Alabama;

H. 336. To provide a clerk for the county court: of Clarke county, and to regulate his fees;

H. 338. To repeal an act entitled an act in relation to trials for misdemeanors in Tuscaloosa and other coun-



ties therein named, approved March 19, 1875, so far as the same applies to Clarke county, and to provide for the disposition of certain cases now pending in the county court of Clarke county ;

H. 354. To refund to Mrs. N. E. Young one hundred and twenty (\$120.00) dollars paid into the state treasury by her for the purchase of certain lands which had been bid in by the state for taxes, but which were erroneously so sold and bid in ;

H. 384. To better prevent the commission of trespass upon lands in Wilcox county, Alabama ;

H. 400. To repeal an act entitled an act to amend an act to more effectually provide for the payment of grand and petit jurors in the county of Washington, approved February 19th, 1875, and to repeal an act entitled an act to more effectually provide for the payment of grand and petit jurors of the county of Washington ;

H. 401. To provide for the county treasurer keeping a sufficient fund to pay grand and petit jurors and the members of the court of county commissioners, and county stationary bills, in Washington county ;

H. 449. For the relief of the sureties of R. A. Tompkins, late tax collector of Franklin county ;

H. 577. To establish a separate school district to be known as the Anton school district in Winston county, Alabama ;

H. 629. To repeal an act entitled an act to provide for the compensation of the superintendent of the county poor house in Limestone county, Alabama, approved February 23, 1893 ;

H. 746. For the relief of S. W. McDowell ;

H. 1029. To fix the time when the officers of Phenix City, Alabama, elected hereafter, shall qualify and enter upon the duties of the office ;

H. 123. To amend sections four (4) and ten (10) of an act to amend an act to expedite the trial of capital cases in Jefferson county, approved February 11, 1891 ;

H. 502. To incorporate Coffee Springs camp grounds in Geneva county, to authorize and empower the trustees, cabin owners and tent holders to pass and enforce rules and regulations to maintain and preserve good order within one mile of said camp ground, and to control its management ;

H. 292. To appropriate the sum of four hundred and eighty-eight and 72-100 dollars (\$488.72) to pay the expenses of the supreme court judges and its officers and of the witnesses for the state in the impeachment proceedings against Jno. B. Talley;

H. 773. For the relief of S. W. Chadwick, registrar of Hale county, for services rendered.

J. H. MONTGOMERY,  
Chairman.

#### SIGNING BILLS.

The speaker of the house in the presence of the house immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set out in the foregoing report of committee on enrolled bills.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the report of the committee of conference on the disagreement of the two houses on the senate amendment to the house bill,

H. 530. For the preservation of game in Madison county,

And has amended as therein shown, and, as amended, has passed the following house bills :

H. 518. To amend sections 1 and 2 of an act to incorporate the town of Rutledge in the county of Crenshaw, and State of Alabama, approved February 11th, 1893;

H. 478. To incorporate the town of Brantley, Crenshaw county,

And has concurred in the house amendment to the senate bills :

s. 293. To amend sections one, two, three, four, six, seven, and eight of an act approved February 25th, 1889, entitled an act to amend an act entitled an act to establish and incorporate Scott Academy, at Scottsboro, in Jackson county, approved February 16th, 1883;

s. 173. To amend an act entitled an act to incorporate the city of Columbia, in the county of Henry, approved February 21st, 1893,

And

In accordance with the request of the house, the senate bill 57 is herewith returned to the house for amendment,

And has amended as therein shown, and, as amended, has passed the house bill

H. 477. To fix the times and places of holding the courts in the first judicial circuit of Alabama, and to regulate the practice therein.

W. L. CLAY,  
Secretary.

#### REPORT OF CONFERENCE COMMITTEE.

Mr. Speaker:

The conference committee to which was referred senate amendment to H. 530, having had the same under consideration, respectfully recommend that the house concur in the amendment as proposed by the senate.

W. BREWER,  
OSCAR R. HUNDLEY ,  
For the senate.

J. C. OTT,  
J. J. MAYFIELD,  
For the house.

The house non-concurred in the report of the conference committee.

On motion of Mr. Rowe, the committee was discharged and a new committee appointed, consisting of Messrs. Rowe, Fletcher and Mayfield.

Yeas 7, nays 52.

Yeas :

Messrs. Speaker, Burks, Cole, Coleman, McCorvey, Ott and Perry—7.

Nays :

Messrs. Barron, Beeson, Boykin, Brown of Russell, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graves, Hill, John, Kelly, Kennedy, Killebrew, Lipscomb, Meadows, Mills, Mixon, Montgomery, Moore, McQueen, O'Brien, Reaves, Roach, Robinson, Rogers, Rowe, Rouston, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Tuck, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—52.

## REPORT OF CONFERENCE COMMITTEE.

Report of conference committee on house bill 576:

The committee on part of senate recommends receding from the amendment, striking out "Choctaw county," and insists on second amendment, including "clocks" after "watches."

JNO. T. KILPATKICK,

L. W. McRAE,

Senate committee.

J. T. DALE,

A. J. HEARN,

House committee,

And the house concurred in the report of the conference committee.

Yeas 56, nays 0.

Yeas :

Messrs. Speaker, Barron, Beasley, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Wilcox, Curtis, Dale, Davis, Fletcher, Forman, Franklin, Fuller, Fulton, Gibbons, Harris, Hearn, Jinks, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Mayfield Meador, Meadows, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Roach, Robbins, Robinson, Rogers, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—56.

And the house concurred in the senate amendments to H. 518. To amend sections 1 and 2 of an act to incorporate the town of Rutledge, in the county of Crenshaw, and State of Alabama, approved February 11th, 1893.

Yeas 59, nays 0.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burns, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fletcher, Forman, Franklin, Fuller, Fulton, Jinks, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mayfield, Meadows, Mahan, Montgomery, Moore, McClusky, Mc-

Queen, O'Brien, Ott, Prowell, Roach, Bobbins, Robinson, Rogers, Routon, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Ward, Wheeless, Williams of Bullock, Williams of Henry, Wood—59.

And

H. 478. To incorporate the town of Brantley, Crenshaw county.

Yeas 65, nays 0.

Yeas:

Messrs. Speaker, Barren, Beasley Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Fleming, Fletcher, Forman, Fuller, Fulton, Gains, Gibbons, Graves, Hearn, Jinks, John, Kelly, Kennedy, Lipscomb, Maples, Mayfield, Meadows, Mills, Mixon, Montgomery, Moore, McCorvey, McQueen, O'Brien, Ott, Patton, Prowell, Reaves, Roach, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheeless, Williams of Bullock, Williams of Henry, Wood—65.

And

H. 477. To fix the times and places of holding the courts in the first judicial circuit of Alabama, and to regulate the practice therein.

Yeas 55, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Cole, Dale, Davis, Ellis, Fielding, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Grant, Graves, Kelly, Kennedy, Killebrew, Langley, Mastin, Mayfield, Meador, Mills, Mixon, Moore, McClusky, McCorvey, O'Brien, Ott, Patton, Reaves, Roach, Bobbins, Robinson, Routon, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Wheeless, Williams of Bullock, Williams of Henry, Wood—55.

## MESSAGE FROM THE GOVERNOR.

MONTGOMERY,

February 6, 1895.

Mr. Speaker:

I have the honor to inform you that the following bills, which originated in the house, have been approved ; Nos. 822, 403, 235, 751, 42, 322, 288, 46, 545, 189, 765, 282, 283, 511 and 773.

Very respectfully,  
HARVEY E. JONES,  
Private Secretary.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bills, your signature thereto is requested :

s. 166. For the relief of W. W. Thompson, sheriff of Macon county;

s. 260. To amend an act to establish the George N. Gilmer school district in Lowdnes county, approved 14th February, 1887;

s. 264. To repeal an act entitled an act to regulate the trial of misdemeanors in Madison county, approved February 9th, 1877, and all acts amendatory thereof, and to provide for the disposal of cases remaining undetermined on the docket of the county court of Madison county;

s. 316. To incorporate the "Louise Short Baptist Widows' and Orphan's Home," No. 310, approved February 14th, 1891.

## SIGNING BILLS.

The speaker of the house, in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, whose titles are set out in the foregoing senate message.

## MESSAGE FROM THE SENATE.

M.. Speaker:

The senate has concurred in the report of the committee of conference on the disagreement of the two houses on the senate amendment to the bill,

H. 103. To amend an act entitled an act to incorporate the Alabama Baptist Colored Normal and Theological School, and all amendments thereto.

W. L. CLAY,  
Secretary.

And the house recessed till 3 o'clock this afternoon.

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 AFTERNOON SESSION.

H. 808. To make the anniversary of the birthday of Jefferson Dayis a legal holiday.

On motion of Mr. O'Brien the bill was amended by making the birthday of Gen. Robert E. Lee a legal holiday, also.

And the bill, as amended,

Was read a third time, at length, and passed—yeas 45, nays 9.

Yeas :

Messrs. Barren, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Cameron, Cook of Wilcox, Dale, Deans, Fielding, Fletcher, Forman, Fulton, Gewin, Gibbons, Graves, Jinks, Kennedy, Killebrew, Kyle, Lipscomb, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Rand, Roach, Robbins, Robinson, Rowe, Routon, Sanford, Smith of Autauga, Smith of Butler, Smith of Greene, Turner, Ward, Williams of Bullock, Wood—45.

Nays :

Messrs. Speacker, Cole, Coleman, Cook of Talladega, Franklin, Harris, Mahan, Mixon and Wheelless—9.

H. 1050. To establish a seal for the State of Alabama, Was read a third time, at length, and passed—yeas 49, nays 18.

Yeas:

Messrs. Barren, Beasley Beeson, Boykin, Brooks,

Brown of Russell, Calhoun, Cameron, Cole, Coleman, Cook of Wilcox, Dale, Deans, Fleming, Forman, Fulton, Gewin, Gibbons, Graves, Hearn, Jinks, John, Killebrew, Lipscomb, Maples, Mayfield, Meador, Montgomery, Moore, McCorvey, McQueen, O'Brien, Rabb, Rand, Roach, Robbins, Robinson, Rowe, Routon, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Williams of Bullock, Wood—49.

Nays :

Messrs. Speaker, Burks, Fielding, Fletcher, Franklin, Fuller, Harris, Kennedy, Knight, Kyle, Langley, Meadows, Mahan, Ott, Perry, Reaves, Summers and Wheelless --18.

H. 1051. To adopt a flag for the use of the State of Alabama,

Was read a third time, at length, and passed—yeas 52, nays 5.

Yeas :

Messrs. Speaker, Barren, Beasley Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Cook of Wilcox, Dale, Fleming, Fletcher, Forman, Fulton, Gewin, Gibbons, Graves, Hearn, Jinks, John, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Meador, Meadows, Montgomery, Moore, McCorvey, McQueen, O'Brien, Perry, Rabb, Robinson, Rogers, Rowe, Routon, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Ward, Williams of Bullock, Wood—52.

Nays: :

Messrs. Burks, Coleman, Franklin, Harris, Mahan—5.

Mr. Knight moved to take up for consideration H. 776 in lieu of the consideration of H. 327.

Mr. Robinson moved to table Mr. Knight's motion, and Mr. Robinson's motion was lost.

Yeas 26, nays 42.

Yeas:

Messrs. Speaker, Cameron, Coleman, Fielding, Fleming, Fletcher, Fulton, Gewin, John, Kyle, Lipscomb, Maples, Mahan, Mixon, Montgomery, McCorvey, McQueen, O'Brien, Ott, Rand, Robinson, Sanford, Scarborough, Smith of Greene, Smith of Mobile—26.

Nays.

Messrs. Beasley, Beeson, Brown of Conecuh, Brown of



Russell, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Deans, Ellis, Forman, Franklin, Gibbons, Graves, Harris, Hearn, Killebrew, Knight, Langley, Meador, Meadows, Moore, Rabb, Reaves, Roach, Robbins, Rogers, Routon, Savage, Seale, Smith of Autauga, Smith, of Butler, Summers, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—42.

And Mr. Knight's motion was lost.

Yeas 41, nays 31.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Brown of Conecuh, Brown of Russell, Calhoun, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Fleming, Forman, Franklin, Fulton, Gibbons, Graves, Hearn, Killebrew, Knight, Langley, Meador, Meadows, Moore, Rabb, Roach, Rogers, Rowe, Routon, Scarborough, Seale, Smith of Butler, Summers, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—41.

Nays :

Messrs. Speaker, Brooks, Cameron, Camp, Coleman, Deans, Fletcher, Fuller, Gewin, John, Kennedy, Kyle, Lipscomb, Maples, Mayfield, Mahan, Mixon, Montgomery, McCorvey, McQueen, O'Brien, Ott, Perry, Reaves, Robbins, Robinson, Sanford, Savage, Smith of Autauga, Smith of Greene, Smith of Mobile—31.

The house proceeded to the consideration of

H. 327. To prohibit the sale, giving away or otherwise disposing of vinous, malt or spirituous liquors within two miles of Calvert Chapel, in Washington county, Alabama.

Mr. Knight offered the following amendment:

By striking from the title and the body of the bill the words "two miles of Calvert Chapel, in Washington county, Alabama," and inserting in lieu thereof the words, "the limits of the state of Alabama, except in incorporated cities and towns under police jurisdiction and control;"

And Mr. Knight's amendment was adopted.

Yeas 41, nays 34.

Yeas :

Messrs. Beasley, Beeson, Brown of Conecuh, Brown

of Russell, Calhoun, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ellis, Fleming, Forman, Franklin, Fulton, Gibbons, Graves, Hearn, Killebrew, Knight, Meador, Mahan, Moore, Perry, Rabb, Roach, Rogers, Rowe, Routon, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—41.

Nays :

Messrs. Speaker, Banks, Brooks, Burks, Cameron, Camp, Coleman, Deans, Fleming, Fletcher, Fuller, Gewin, Graham, Hill, John, Kennedy, Kyle, Lipscomb, Maples, Mayfield, Meadows, Mahan, Mixon, Montgomery, McCorvey, McQueen, O'Brien, Rand, Reaves, Robbins, Robinson, Sanford, Savage, Smith of Mobile—34.

And the bill was read a third time at length and passed—yeas 45, nays 32.

Yeas:

Messrs. Barren, Beasley, Beeson, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Forman, Franklin, Fulton, Gibbons, Graham, Graves, Harris, Hearn, John, Killebrew, Knight, Maples, Meador, Mahan, Moore, Perry, Rabb, Rand, Roach, Rogers, Rowe, Routon, Scarborough, Seale, Smith of Butler, Smith of Greene, Summers, Tuck, Turner, Ward, Williams of Bullock, Williams of Henry—45.

Nays :

Messrs. Speaker, Banks, Brooks, Burks, Cameron, Coleman, Deans, Ellis, Fleming, Fletcher, Fulton, Hill, Kennedy, Kyle, Langley, Lipscomb, Martin, Mayfield, Meadows, Mixon, Montgomery, McCorvey, McQueen, Reaves, Robbins, Robinson, Sanford, Savage, Smith of Autauga, Smith of Mobile, Wheelless, Wood—32.

H. 332. To amend section 4796 of the code,  
Was read a third time, at length, and passed—yeas 41,  
nays 10.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Dale, Fielding, Fleming, Fletcher, Fuller, Fulton, Gewin, Gibbons,

Graham, John, Kennedy, Langley, Maples, Mayneld, Meador, Mahan, Montgomery, Moore, McQueen, Ott, Rabb, Roach, Rogers, Sanford, Smith of Autauga, Summers, Tuck, Turner, Ward, Williams of Bullock, Wood—41.

Nays:

Messrs. Banks, Burks, Cole, Coleman, Ellis, Forman, Franklin, Harris, Hearn, Robbins and Wheelless—10.

And on motion the house recessed until 7:30 to-night.

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#### NIGHT SESSION.

H. 1025. To authorize the commissioners court of Lee county to levy a tax for the purpose of working the public roads of said county, and to let out said roads by contract,

Was read a third time, at length, and passed—yeas 52, nays 0.

Yeas :

Messrs. Speaker, Barren, Brown of Russell, Burks, Calhoun, Cameron, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Deans, Ellis, Fielding, Fletcher, Franklin, Fuller, Fulton, Gewin, Gibbons, Graves, Hill, John, Kelly, Kyle, Lipscomb, Maples, Mastin, Mayfield, Mahan, Montgomery, McCorvey, O'Brien, Roach, Robbins, Robinson, Rogers, Rowe, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—52.

s. 201. To fix the time of holding the chancery courts in the counties of Monroe and Perry,

Was read a third time, at length, and passed—yeas 51, nays 0.

Yeas :

Messrs. Speaker, Barren, Burks, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Feilding, Fletcher, Franklin, Fuller, Fulton, Gibbons, Graves, Hill, John, Kelly, Kyle, Langley, Maples, Mastin, Mayfield, Meadows, Mahan, Montgomery, Moore, McCorvey, O'Brien, Reaves, Roach,

Robbins, Robinson, Rogers, Rowe, Routon, Savage, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—51.

s. 267. To detach Lowndes county from the 4th and attach it to the 2nd judicial circuit, and to detach the county of Bibb from the 5th and attach it to the 4th judicial circuit, and to detach the county of Covington from the 2nd and attach it to the 12th judicial circuit, and to fix the time for holding the circuit courts in said counties;

Was read a third time, at length, and lost, a quorum not voting—yeas 39, nays 7.

Yeas:

Messrs. Speaker, Barren, Boykin, Calhoun, Cameron, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Fleming, Fletcher, Franklin, Fuller, Gewin, Gibbons, Graves, John, Kelly, Kyle, Lipscomb, Maples, Mahan, McCorvey, O'Brien, Reaves, Roach, Robinson, Rogers, Rowe, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Ward, Williams of Bullock, Wood—39.

Nays:

Messrs. Davis, Ellis, Feilding, Fuller, Mayfield, Summers, Wheelless, Wood—7.

The speaker stated, that the bill having failed to pass for want of a quorum voting, resumed its place on the calendar,

And the house adjourned till 10 o'clock to-morrow morning.

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FORTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,

February 8, 1895.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Rowe of the house.

A quorum was present.

## LEAVE OF ABSENCE.

Was granted to Mr. Curtis, for to-day and to-morrow, Mr. Davis and Mr. Ewing, for to-day, Mr. Grant and Mr. Wheelless indefinitely.

The motion to reconsider the vote by which

H. 327. To prohibit the sale, giving away, or otherwise disposing of vinous, malt or spiritous liquors within the limits of the State of Alabama, except in incorporated cities and towns, under police jurisdiction and control; or within three miles of Saint John's Baptist church in Pike county ; or within three miles of Friendship M. E. church in Pike county ; or in five miles M. E. church south, in Citronelle,

Was taken up.

Mr. Meador moved to table Mr. Graham's motion; and Mr. Meador's motion was carried.

Yeas, 52. nays 26.

Yeas :

Messrs. Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Fielding, Fleming, Fletcher, Forman, Franklin, Fulton, Graves, Harris, Hearn, Jackson, John, Kelly, Killebrew, Knight, Langley, Lipscomb, Maples, Meador, Mahan, Mixon, McQueen, O'Brien, Perry, Rabb, Rand, Roach, Rogers, Rowe, Routon, Savage, Scarborough, Smith of Butler, Smith of Greene, Summers, Tuck, Turner, Williams of Bullock, Williams of Henry—52.

Nays :

Messrs. Speaker, Banks, Brooks, Burks, Cameron, Coleman, Deans, Gains; Graham, Jinks, Kennedy, Kyle, Mastin, Mayfield, Meadows, Montgomery, McQueen, Ott, Prowell, Robbins, Robinson, Screws, Smith of Autauga, Smith of Mobile, Ward, Wood—26.

On motion of Mr. Davis—

H. 821. To provide for the calling and holding of meetings of stockholders of railroad corporations in certain cases, and regulating the voting, the election of officers, and the transaction of other business at such meetings,

Was taken from the table.

Yeas 52, nays 24.

Yeas:

Messrs. Speaker, Barren, Beasley, Brown of Conecuh, Burks, Burns, Calhoun, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ford, Forman, Franklin, Fuller, Gains, Graham, Jackson, Jinks, Kelly, Kennedy, Killebrew, Knight, Kyle, Manning, Mastin, Mayfield, Meador, Mills, Mixon, Montgomery, Moore, McCorvey, McQueen, Ott, Perry, Prowell, Reaves, Roach, Robinson, Routon, Screws, Smith of Autauga, Smith of Butler, Summers, Tuck, Turner, Williams of Bullock—52.

Nays:

Messrs. Banks, Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Cameron, Fletcher, Fulton, Gibbons, Graves, John, Langley, Lipscomb, Meadows, Mahan, O'Brien, Rabb, Robbins, Rogers, Rowe, Seale, Smith of Greene, Wood—24.

Mr. O'Brien moved to recommit the bill to the judiciary committee,

Mr. O'Brien's motion was tabled.

Yeas 50, nays 27.

Yeas:

Messrs. Speaker, Beasley, Bellinger, Burks, Burns, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Forman, Franklin, Fuller, Gains, Gibbons, Graham, Hearn, Jackson, Jinks, Kelly, Kennedy, Killebrew, Knight, Kyle, Manning, Mastin, Mayfield, Meador, Mills, Mixon, Montgomery, Moore, McClusky, McQueen, Ott, Prowell, Reaves, Robinson, Routon, Screws, Seale, Smith of Autauga, Summers, Tuck, Turner, Williams of Bullock—50.

Nays :

Messrs. Banks, Barren, Boykin, Brooks, Brown of Russell, Cameron, Cole, Coleman, Fletcher, Ford, Fulton, John, Langley, Lipscomb, Meadows, Mahan, O'Brien, Perry, Rabb, Rand, Robbins, Rogers, Rowe, Savage, Screws, Ward, Wood—27.

And the house concurred in the first senate amendment to the bill,

Yeas 46, nays 37.

Yeas:

Messrs. Speaker, Beasley, Burns, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans,

Ellis, Fielding, Fleming, Ford, Fuller, Gains, Gewin, Graham, Hearn, Jinks, Kelly, Kennedy, Killebrew, Knight, Kyle, Manning, Mastin, Mixon, Montgomery, McClusky, McQueen, O'Brien, Ott, Prowell, Robinson, Routon, Sanford, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Mobile, Tuck, Turner, Williams of Bullock, Williams of Henry—45.

Nays:

Messrs. Banks, Barren, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Cameron, Ford, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Graves, John, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Mills, Moore, Perry, Rabb, Rand, Robbins, Rogers, Rowe, Savage, Seale, Smith of Greene, Wood—37.

And the house concurred in the second senate amendment to the bills,

Yeas 47, nays 35.

Yeas:

Messrs. Speaker, Beasley, Burns, Calhoun, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Fielding, Fleming, Fuller, Gains, Gewin, Graham, Hearn, Jinks, Kelly, Kennedy, Killebrew, Knight, Kyle, Manning, Mastin, Mills, Mixon, Montgomery, McCorvey, McQueen, O'Brien, Ott, Prowell, Robinson, Routon, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Mobile, Tuck, Turner, Willett, Williams of Bullock, Williams of Henry—47.

Nays :

Messrs. Banks, Barren, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Cameron, Fletcher, Ford, Forman, Franklin, Fulton, Gibbons, Graves, John, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Moore, Perry, Rabb, Rand, Robbins, Rogers, Rowe, Savage, Seale, Smith of Greene, Wood—35.

Mr. O'Brien moved to reconsider the vote by which the house concurred in the senate amendments.

Mr. Davis moved to table Mr. O'Brien's motion, and Mr. Davis' motion was carried.

Yeas 38, nays 27.

Yeas:

Messrs. Speaker, Beasley, Burns, Calhoun, Cook of

Wilcox, Dale, Davis, Deans, Ellis, Fielding, Fleming, Franklin, Fuller, Gains, Gibbons, Graham, Kelly, Kennedy, Killebrew, Knight, Kyle, Manning, Mastin, Mixon, Montgomery, McCorvey, McQueen, Ott, Prowell, Robinson, Routon, Sanford, Scarborough, Screws, Smith of Autauga, Tuck, Turner, Williams of Bullock—38.

Nays:

Messrs. Banks, Barren, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Cameron, Camp, Cole, Fletcher, Ford, Fulton, Graves, John, Langley, Lipscomb, Maples, Mills, O'Brien, Perry, Rogers, Rowe, Seale, Smith of Greene, Williams of Henry, Wood—27.

#### INTRODUCTION OF BILLS.

On a call of the counties bills were introduced, severally read one time and referred to appropriate committees as follows :

By Mr. Graves—

H. 1201. To amend sections three and four of an act entitled an act to establish a new city charter for Eufaula, approved February 28, 1870,

Corporations;

By Mr. Rand (by request)—

H. 1202. To authorize the judge of the probate court of Colbert county to establish districts in said county in which stock may be prevented from running at large, and to regulate such districts,

Local legislation;

By Mr. Montgomery (by request)—

H. 1203. To repeal an act entitled an act to more effectually secure competent and well qualified jurors in the several counties of this State, so far as the county of Cullman is concerned, approved February 28, 1887,

Judiciary;

Also, (by request)

H. 1204. To limit the number of days the county commissioners will be allowed to hold courts in the county of Cullman in each year,

Revision of laws;

By Mr. John—

H. 1205. To make appropriations for the salaries of



the chancellor of the northern chancery division, the judges and solicitors of the 12th and 13th circuits,

Appropriations;

By Mr. O'Brien—

H. 1206. To require any person or persons purchasing the property or franchises of any railroad or other corporation heretofore or hereafter created under the laws of this state under any order or decree of any court to become incorporated under the laws of this state before exercising the franchises of any such railroad so-purchased,

Corporations;

Also,

H. 1207. To require all corporations owning or operating railroads in this state to hold all meetings of stockholders in this state,

Corporations;

By Mr. Prowell—

H. 1208. To amend section two of an act to prevent stock from running at large in certain parts of Marengo county,

Local legislation;

By Mr. Davis—

H. 1209. To amend section one of an act to establish the Guin School District, in Marion county, approved.

February 21, 1893,

Education;

By Mr. O'Brien—

H. 1210. To amend an act to prescribe and regulate the terms of the court of county commissioners of Jefferson county, approved December, 5, 1892,

Jefferson delegation;

By Mr. John—

H. 1211. To fix the time of holding the chancery courts in the northeastern chancery division, and regulate the proceedings therein,

Judiciary.

#### BILLS OUT SECOND READING.

The chairmen of the several committees, reported favorably on the following bills :

H. 329. To amend section one of an act entitled an

55h

act to establish a separate school district to be known as the Mellville school district, Winston county, Alabama,

With substitute;

H. 890. To define the duties and powers of the board of police commissioners of Birmingham, Alabama, and to regulate the police department of said city and provide for the appointment of such commissioners ;

H. 935. To prohibit the throwing or placing timber, stone, brush, sawdust or other obstruction in Big Canoe Creek in St. Clair county or any of its tributaries ;

H. 1094. To establish an agricultural school and experiment station at or near Five Points, Chambers county, to be located by the governor, superintendent of education and commissioner of agriculture,

With minority report;

H. 1180. To establish an agricultural experiment station and school at or near Ozark, Newton Pinckard or Daleville, Dale county, Alabama, to be located by the governor, superintendent of education and commissioner of agriculture,

With minority report;

H. 1181. To require sheriffs and their deputies to arrest persons doing business in this state without license ;

H. 1182. To prevent the sale of wheat bran mixed with particles of corn cobs unless the same is properly labelled;

H. 1187. To empower the commissioner of agriculture to redeem from the Bradley Fertilizer Company fertilizer tags issued during the years 1891, 1892 and 1893, to said company aggregating five hundred fifty-six dollars and twenty-five cents (\$556.25) ;

H. 1188. To regulate payments of the fine and forfeiture fund of Covington county by requiring payments in the numerical order of its registry, and after sixty days notice to bar claims not presented to the amount of one hundred and thirty five dollars of the claims first in numerical order not presented;

s. 356. To prohibit fishing, netting, seining or otherwise catching fish from the ;stream known as Kellet creek where the same passes through beat No. two, section 10, Tallapoosa county ;

s. 393. To regulate the fine and forfeiture fund and the hard labor fund of Dallas county ;

s. 366. To amend an act entitled an act to amend section 4053 of the code of Alabama, so far as relates to the county of Madison, approved February 6, 1889.

The above and foregoing bills, were severally read a second time, and placed on the calendar.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

The committee on enrolled bills report the following bills correctly enrolled :

H. 479. To incorporate the city of Ozark in the county of Dale;

H. 250. To create a separate school district in the city of Jasper, Alabama, to define the boundaries thereof and provide for the maintenance of schools therein ;

H. 433. To authorize the city council of Selma to issue bonds and borrow money for the purpose of providing and maintaining a system of water works in Selma ;

H. 763. To incorporate the North Alabama College, at Fort Payne, DeKalb county, Alabama;

H. 804. To further provide for and regulate the trial of misdemeanors in Washington county ;

H. 314. To amend an act entitled an act to regulate the mode of selecting, drawing and empanneling grand and petit jurors for the county of Mobile, approved February 20th, 1883, and to amend section three of an act entitled an act to amend sections six, eight, ten, eleven and thirteen of an act entitled "an act to regulate the mode of selecting, drawing and empanneling grand and petit jurors for the county of Mobile," approved February 20, 1883.

J. H. MONTGOMERY,  
Chairman.

#### SIGNING OF BILLS.

The speaker of the house in the presence of the house immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set out in the foregoing report of committee on enrolled bills.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended, as therein shown, and, as-amended has passed the house bills :

H. 99. To repeal an act entitled an act to more effectually secure competent and well qualified jurors in the several counties of this state, approved February 28, 1887, and the acts amendatory thereof, so far as the same is applicable to the county of Pike ;

H. 689. To establish an inferior court of criminal jurisdiction in the city of Birmingham, define its powers and provide for the election of a judge and appointment of a clerk thereof;

H. 915. To refund to J. H. Williams of Elmore county the sum of eighty dollars with interest, being purchase money for certain lands heretofore erroneously sold him by the state;

And has passed the following house bills :

H. 434. To extend the territorial jurisdiction of notaries public and ex-officio justices of the peace, appointed for ward one (1) in the city of Anniston ;

H. 515. To amend section 1 of an act to regulate the taxation of insurance companies, approved February 20, 1893;

H. 690. To limit the criminal jurisdiction of justices of the peace and notaries public with the powers of justices of the peace in precincts twenty-one (21) and thirty-seven (37) in Jefferson county, and in all the wards of the city of Birmingham;

H. 911. To provide for the extension of stock law in Coosa county;

H. 440. To relieve Worth Whiteside, of Calhoun county, Alabama, a minor, of the disabilities of non-age;

H. 814. To authorize the corporate authorities of the town of New Decatur, in the county of Morgan, to require the male inhabitants of said town within certain ages, to perform work and labor on the streets and highways of said town, for the purpose of opening, maintaining and keeping said streets and highways in proper repair, and to require those failing to perform such work and labor, to pay annually a sum of money to be devoted to the opening, repair and maintenance of the streets and highways of said town ;

And has also amended as therein shown, and, as amended has passed the following house bill:

H. 56. To regulate and prescribe the manner of electing county commissioners of Calhoun and Marshall counties.

W. L. CLAY,  
Secretary.

SENATE MESSAGE.

And the house concurred in the senate amendments to H. 99. To repeal an act entitled an act to more effectually secure competent and well qualified jurors in the several counties of the state, approved February 28, 1887, and the acts amendatory thereof, so far as the same is applicable to the county of Pike,

Yeas 53, nays 0.

Yeas :

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Burks, Calhoun, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Ellis, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Graham, Jinks, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mastin, Mahan, Mills, Mixon, McClusky, McCorvey, O'Brien, Ott, Prowell, Roach, Robbins, Robinson, Rowe, Routon, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Tuck, Williams of Bullock, Williams of Henry, Wood—53.

Also in senate amendments to,

H. 915. To refund to J. H. Williams of Elmore county, the sum of eighty dollars with interest, being purchase money for certain lands heretofore erroneously sold him by the state,

Yeas 52, nays 0.

Yeas :

Messrs. Speaker, Beeson, Bellinger, Brooks, Burns, Calhoun, Cameron, Cole, Coleman, Davis, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graves, Harris, Hearn, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mills, Montgomery, McClusky, McCorvey, O'Brien, Patton, Prowell, Roach,

Robbins, Robinson, Rogers, Routon, Scarborough, Smith of Autauga, Smith of Butler, Summers, Williams of Bullock, Williams of Henry, Wood—52.

And has also concurred in the senate amendments to H. 56. To regulate and prescribe the manner of electing county commissioners of Calhoun and Marshall counties;

Yeas 55, nays 0.

Yeas:

Messrs, Speaker, Barren, Beasley, Beeson, Bellinger, Brooks, Brown of Russell, Burks, Burns, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Davis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Gains, Gewin, Harris, Jinks, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mayfield, Meadows, Mills, Mixon, Montgomery, Moore, McClusky, O'Brien, Roach, Robbins, Robinson, Rogers, Rowe, Savage, Scarborough, Smith of Autauga, Summers, Taylor, Tuck, Williams of Bullock, Williams of Henry, Wood—55.

And on motion of Mr. John the senate amendments to H. 689 were referred to judiciary committee.

The house concurred in the senate amendment to H. 689. To establish an inferior court of criminal jurisdiction in the city of Birmingham, define its powers and provide for the election of a judge and appointment of a clerk thereof;

Yeas 57, nays 0.

Yeas :

Messrs. Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Coleman, Dale, Ellis, Fielding, Fleming, Fletcher, Ford, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Graves, John, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mahan, Mixon, Moore, McCorvey, O'Brien, Perry, Prowell, Rand, Roach, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Smith of Greene, Tuck, Turner, Ward, Williams of Bullock, Williams of Henry, Wood—57.

#### BILLS ON THIRD READING.

H. 1165. To instruct the auditor of the state of Ala-

bama to draw his warrant on the state treasurer for the amount due the late James Taylor Jones as salary as judge of the first judicial circuit up to the time of his death, in favor of Virginia M. Jones, relict of the said Judge Jones,

Was read a third time, at length, and passed—yeas 66, nays 0.

Yeas:

Messrs. Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Ellis, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Harris, Hearn, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Mastin, Meador, Meadows, Mills, Montgomery, Moore, McClusky, McCorvey, O'Brien, Perry, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Seale, Smith of Autauga, Smith of Butler, Smith of Mobile, Taylor, Tuck, Turner, Ward, Williams of Bullock, Williams of Henry, Wood—66.

H. 895. To authorize C. L. James the guardian of Amanda James a lunatic, and widow of James James deceased, to convey the right of dower of said Amanda James in certain lands without order of court,

Was read a third time at length and passed—yeas 70, nays 0.

Yeas:

Messrs. Banks, Barren, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Graves, Harris, Hearn, Jackson, Jinks, John, Kelly, Killebrew, Knight, Kyle, Langley, Manning, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, McCorvey, McQueen, O'Brien, Ott, Patton, Prowell, Rabb, Reaves, Roach, Robbins, Robinson, Rowe, Routon, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith or Mobile, Wood—70.

H. 1078. To incorporate the South Alabama and Gulf Railroad Company,

Was read a third time, at length, and passed—yeas 57, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Brooks, Brown of Conecuh, Brown of Russell, Burns, Cameron, Cook of Talladega, Cook of Wilcox, Curtis, Ellis, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graves, Harris, Hearn, Jinks, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Maples, Mastin, Meadows, Mills, Mixon, Moore, O'Brien, Ott, Patton, Perry, Rabb, Rand, Reaves, Roach, Robbins, Rogers, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Tuck, Ward/Williams of Henry, Wood—57.

H. 1179. To incorporate the Industrial Insurance , Company of Birmingham, Alabama,

Was read a third time, at length, and passed—yeas 69, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Bellinger, Brooks, Brown of Conecuh, Burks, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Ford, Franklin, Fuller, Fulton, Gibbons, Graham, Graves, Harris, Hearn, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Manning, Maples, Mayfield, Meadows, Mahan, Mills, Mixon, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Patton, Perry, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Routou, Sanford, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Turner, Ward, Wheelless, Wood—69.

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AFTERNOON SESSION.

LEAVE OF ABSENCE.

Was granted to Mr. Mixon for one day on account of sickness.



## RESOLUTIONS.

Mr. John offered the following resolution which was adopted:

Resolved, That any member who absents himself from the night session, without leave of the house first obtained shall if his name is called forfeit his right to call a bill, unless in case of sickness.

## BILLS ON THIRD READING.

The house proceeded to consider,  
H. 756. To amend the revenue laws of the State of Alabama.

The substitute offered by the committee was amended as follows : By adding to section 8 thereof the following :

"In counties paying less than twelve thousand dollars  
" property tax, the said board of equalization at its  
" meeting for correcting assessments the board shall not  
" sit for a longer term than four days in each year. In  
" counties paying more than twelve thousand, and  
" less than twenty thousand dollars property tax, said  
" board shall not sit for a longer term than six days in  
" each year; and in counties paying twenty thousand  
" dollars property tax and over, shall not sit for a longer  
" term than thirty days."

On motion of Mr. Kyle, the further consideration of the bill was postponed till to-morrow immediately after the reports of the standing committees.

H. 1140. To confer chancery jurisdiction on the circuit court of Jefferson county, holden at Birmingham and Bessemer, in said county,

Was amended, read a third time, at length, and passed  
—yeas 55, nays 0.

Yeas:

Messrs. Beeson, Bellinger, Brooks, Burks, Cameron, Camp, Cole, Coleman, Cook of Talladega, Dale, Ewing, Fleming, Fletcher, Ford, Forman, Fuller, Fulton, Gewin, Gibbons, Graham, Graves, John, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mixon, Montgomery, Moore, McClusky, McCorvey, O'Brien, Ott, Patton, Prowell, Rabb, Reaves,

Roach, Robinson, Rogers, Rowe, Routon, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Turner, Wheelless, Williams of Henry, Wood—55.

H. 920. To authorize Susan M. Daniel, a minor, to sell and convey her land situated in Jackson county,  
Was read a third time, at length, and passed—yeas 62, nays 0.

Yeas:

Messrs. Banks, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Calhoun, Cameron, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Graham, Grant, Graves, Harris, Hearn, Jackson, Jinks, Kennedy, Knight, Kyle, Maples, Mastin, Meador, Meadows, Mahan, Mills, Montgomery, McClusky, McCorvey, McQueen, Patton, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Savage, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Ward, Willett, Williams of Bullock, Williams of Henry, Wood—62.

H. 774. To make incurable insanity a ground for divorce,  
Was read a third time, at length, and passed—yeas 36, nays 31.

Yeas:

Messrs. Barron, Beasley, Brooks, Burks, Cook of Wilcox, Fleming, Fletcher, Forman, Franklin, Fulton, Gewin, Gibbons, Kelly, Kennedy, Knight, Kyle, Lipscomb, Montgomery, McClusky, McCorvey, O'Brien, Rand, Reaves, Robinson, Rowe, Routon, Sanford, Smith of Autauga, Smith, of Greene, Smith of Mobile, Summers, Taylor, Tuck, Williams of Bullock, Williams of Henry, Wood—36.

Nays :

Messrs. Beeson, Bellinger, Brown of Conecuh, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Ellis, Fuller, Gains, Graves, Harris, Hearn, Killebrew, Langley, Maples, Mastin, Meador, Meadows, Mills, Mixon, Ott, Perry, Prowell, Rabb, Robinson, Rogers, Sanford, Smith of Butler, Turner, Ward—31.

H. 569. To establish a board for the reception and

distribution of dead human bodies in Jefferson county, and to regulate the same,

Was amended, and as amended, read a third time, at length, and lost—yeas 31, nays 42.

Yeas :

Messrs. Banks, Barren, Beeson, Camp, Dale, Fleming, Fletcher, Fulton, Gewin, John, Kennedy, Knight, Kyle, Lipscomb, Mayfield, Mahan, Montgomery, O'Brien, Rand, Roach, Robinson, Rogers, Rowe, Sanford, Seale, Smith of Autauga, Smith of Greene, Tuck, Williams of Bullock, Williams of Henry, Wood—31.

Nays :

Messrs. Speaker, Beasley, Bellinger, Boykin, Brown of Conecuh, Burks, Burns, Calhoun, Cameron, Cole, Coleman, Ellis, Fielding, Forman, Franklin, Gains, Gibbons, Graves, Harris, Hearn, Hill, Kelly, Killebrew, Langley, Maples, Mastin, Meadows, Mills, Mixon, Moore, McClusky, McCorvey, McQueen, Obt, Rabb, Robbins, Routon, Savage, Scarborough, Smith of Butler, Smith of Mobile, Summers, Taylor, Ward—42.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bills, your signature thereto is requested :

s. 293. To amend sections one, two, three, four, six, seven, and eight of an act approved February 25th, 1889, entitled an act to amend an act entitled an act to establish and incorporate Scott Academy at Scottsboro, in Jackson county, approved February 16, 1883;

s. 201. To fix the time of holding the chancery courts in the counties of Monroe and Perry;

s. 57. To declare a rule of evidence upon the trial of persons indicted for violating the provisions of laws prohibiting the sale of vinous, spirituous, or malt liquors, or alcoholic bitters, cordials or beverages in any county or beat, and to make the fact that the defendant has obtained a license from the internal revenue department of the United States evidence of the defendant's guilt;

s. 37. To dispose of lands which have been, or which may hereafter be sold for taxes, and bid in for the state,

and which have not been redeemed or purchased from the state.

W. L. CLAY,  
Secretary.

#### SIGNING BILLS.

The speaker of the house in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set out in the foregoing senate message.

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#### NIGHT SESSION.

The house resumed consideration of

#### BILLS ON THIRD READING.

H. 794. To amend section six of an act, approved December the 9th, 1890, entitled an act to prevent stock from running at large in Pike county so as to read as follows :

The substitute offered by the committee was adopted, and the bill was read a third time at length and passed—yeas 56, nays 1.

Yeas :

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Deans, Ellis, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graves, Kyle, Langley, Lipscomb, Mastin, Mayfield, Meadows, Mahan, Moore, McCorvey, Ott, Roach, Robbins, Rowe, Routon, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Williams of Bullock, Williams of Henry, Wood—56.

Nay:

Mr. John.

H. 533. To amend an act entitled an act to establish an agricultural school and experiment station at Albert-

ville, Alabama, Lebanon, Alabama, or Springville, Alabama, to be located by the governor, superintendent of education and commissioner of agriculture, which became a law on the 21st day of February, 1893,

Was read a third time at length and passed—yeas 54, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Camp, Cole, Coleman, Deans, Ellis, Fielding, Fleming, Fletcher, Forman, Fuller, Fulton, Gewin, Gibbons, Graves, Kyle, Langley, Lipscomb, Maples, Mayfield, Meadows, Mahan, Moore, Ott, Prowell, Roach, Robbing, Rogers, Rowe, Routon, Savage, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Tuck, Turner, Ward, Williams of Bullock, Williams of Henry, Wood—54.

H. 973. To authorize riparian proprietors who have erected or maintained piles, booms, bulkheads and other structures in front of their property to collect a compensation for the use thereof by others,

Was read a third time at length and passed—yeas 48, nays 3.

Yeas:

Messrs. Speaker, Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Burks, Calhoun, Cole, Coleman, Cook of Wilcox, Deans, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graves, John, Kyle, Langley, Lipscomb, Maples, Mayfield, Meadows, Mahan, Mixon, Moore, McCorvey, Roach, Robbins, Rowe, Routon, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Turner, Ward, Williams of Bullock, Williams of Henry, Wood—48.

Nays:

Messrs. Beasley, Summers, Tuck—3.

s. 277. To dissolve the incorporation of the Mobile Athletic Association, incorporated under the general laws of this state,

Was read a third time at length, and passed—yeas 53, nays 1.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin,

Brooks, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Deans, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graves, John, Kyle, Langley, Lipscomb, Maples, Meadows, Mahan, Moore, Ott, Roach, Robbins, Robinson, Rowe, Routon, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Williams of Bullock, Williams of Henry, Wood—53.

Nay:

Mr. Burks.

H. 942. To establish a branch agricultural experiment station and agricultural school at Jackson, Clarke county, Alabama,

Was amended, read a third time at length and passed—yeas 53, nays 1.

Yeas :

Messrs. Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Burks, Burns, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Deans, Fielding Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graves, John, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows, Moore, Ott, Roach, Robbins, Robinson, Rowe, Routon, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Williams of Bullock, Williams of Henry, Wood—53,

Nay:

Mr. Mahan.

H. 1093. To prohibit the sale, giving away or otherwise disposing of any spirituous, vinous, or malt liquors, intoxicating drinks or beverages, or fruits preserved in alcoholic liquors within precinct No. eight in Bullock county, Alabama;

Mr. Boykin's amendment (offered for Mr. Jinks) was tabled, and the bill was read a third time at length and passed—yeas 48, nays 7.

Yeas:

Messrs. Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wil-

cox, Ellis, Fielding, Fleming, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Graves, John, Langley, Lipscomb, Maples, Mahan, Moore, Ott, Roach, Robbins, Rogers, Rowe, Routon, Savage, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Williams of Bullock, Williams of Henry, Wood—48.

Nays :

Messrs. Coleman, Deans, Fletcher, Gewin, Gibbons, Kyle, Mayfield—7.

H. 916. To relieve Annie B. Bachelor, Barah Bachelor and William T. Bachelor, minor children of William T. Bachelor, Jr., of Elmore county, of the disabilities of non-age,

Was amended, read a third time, at length, and passed—yeas 53, nays 0.

Yeas :

Messrs. Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Deans, Ellis, Fielding, Fleming Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graves, John, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mahan, Moore, Ott, Roach, Robbins, Rowe, Routon, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Williams of Bullock, Williams of Henry, Wood—53.

H. 740. To provide for the payment of certain claims of the sheriff of Talladega county against the state,

Was read a third time at length and passed—yeas 47, nays 4.

Yeas:

Messrs. Beasley, Beeson, Bellinger, Boykin, Brooks, Burks, Burns, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Gains, Gewin, Gibbons, John, Kyle, Langley, Lipscomb, Maples, Mayfield, Meadows, Mahan, Moore, Roach, Robbins, Rogers, Rowe, Scarborough, Screws, Smith of Autauga, Smith of Butler, Summers, Taylor, Tuck, Turner, Williams of Bullock, Williams of Henry, Wood—47.

Nays:

Messrs. Brown of Russell, Graves, Ott, Smith of Mobile—4.

H. 883. To amend section four of an act to incorporate the city of Syllacauga, approved February 26th, 1887,

Was read a third time, at length, and passed—yeas 54, nays 0.

Yeas :

Messrs. Speaker, Barron, Beasley, Beeson, Bellinger, Boykin, Brown of Russell, Burks, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Fielding, Fleming, Fletcher, Ford, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graves, Hill, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Moore, O'Brien, Ott, Roach, Robbins Rowe, Routon, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Williams of Bullock, Williams of Henry, Wood—54.

H. 1088. To create a lien in favor of the owners or keepers of pastures for the payment of their charges for pasturing stock in the counties of Wilcox and Dallas,

Was read a third time, at length, and passed—yeas 54, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graves, Kyle, Langley, Lipscomb, Maples, Mayfield, Mahan, Moore, O'Brien, Ott, Roach, Robbins, Rowe, Savage, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Williams of Bullock, Williams of Henry—54.

H. 969. To require persons selling corn meal in sacks or other packages to print or write upon the sack or package containing such corn meal the number of pounds of such meal contained in such sack or package sold by such person,

Was read a third time at length and tabled.



H. 849. To relieve M. D. Still, of Elmore county, Alabama, of the disabilities of non-age,  
Was read a third time, at length, and passed—yeas 51, nays 0.

Yeas:

Messrs. Banks, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Coleman, Cook of Talladega, Deans, Ellis, Fielding, Fleming, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graves, John, Kyle, Langley, Lipscomb, Maples, Mayfield, Meadows, Mahan, Moore, O'Brien, Ott, Roach, Robbins, Rowe, Routon, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Ward, Williams of Bullock, Williams of Henry, Wood—51.

H. 784. To repeal an act entitled an act to amend an act to repeal section 3210 and to amend sections 3211, 3212, 3214, 3215, 3216 and 3217 of the code of 1886, relating to the condemnation of lands for public uses, approved February 18, 1891, so far as the same relates to Limestone county, approved February 21, 1893,

Was read a third time, at length, and passed—yeas 51, nays 1.

Yeas :

Messrs. Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Burks, Burns, Calhoun, Camp, Cole, Cook of Talladega, Cook of Wilcox, Deans, Ellis, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, John, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Moore, O'Brien, Ott, Reaves, Roach, Robbins, Rowe, Routon, Savage, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Ward, Williams of Bullock, Williams of Henry—51.

Nays : Mr. Brown of Russell.

s. 265. To confirm the incorporation of the Twickenham Club of Huntsville, Alabama, and to enlarge the powers and capacities of said club;

Was read a third time, at length, and lost—yeas 14, nays 32.

Yeas:

Messrs. Brooks, Burks, Burns, Camp, Deana, Fletcher,  
56 h

Gewin, Kyle, Maples, Mayfield, O'Brien, Screws, Smith, of Autauga, Smith of Mobile—14.

Nays:

Messrs. Banks, Beason, Brown of Conecuh, Brown of Russell, Calhoun, Cole, Cook of Talladega, Cook of Wilcox, Ellis, Fleming, Forman, Franklin, Fuller, Fulton, Gibbons, Graves, John, Langley, Lipscomb, Meadows, Mahan, Ott, Roach, Robbins, Rowe, Routon, Smith of Butler, Smith of Greene, Summers, Ward, Williams of Bullock, Wood—32.

The vote by which the bill was ordered to a third reading, and by which it was lost, was reconsidered.

And the house adjourned till 10 o'clock to-morrow morning.

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#### FORTY-FOURTH DAY.

#### HOUSE OF REPRESENTATIVES,

February 9, 1895.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Howell of Cleburne.

A quorum was present.

#### REVISION OF JOURNAL.

The committee on the revision of the journal reported the journal of yesterday correct.

#### LEAVE OF ABSENCE

Was granted to Messrs. Reaves and Rabb indefinitely ; and to Messrs. Ewing, Gains, Routon, Patton and Camp, for one day, and to Mr. Beasley for to-day and to-morrow.

#### RESOLUTIONS

Were introduced, and referred to the rules committee, as follows:

By Mr. Calhoun—

Resolved by the house, the senate concurring, That a committee of six, three from the house and three from the senate be appointed to set a day for final adjournment.

By Mr. John—

Resolved, That on and after Monday the 11th February the call of counties shall be suspended—but members desiring to introduce bills will be allowed———minutes before the recess at 1 o'clock, in which to introduce bills.

By Mr. Deans—

Resolved, That rule 57 be given a liberal construction to the speaker of the house.

Mr. Knight offered the following. The rules were suspended and the resolution adopted :

Resolved, That this house adjourn at 1 p. m., to reconvene at 3 p.m., and that the regular order be then proceeded with until 5 p. m., when the call of the roll be had for the purpose of calling up bills, and that this house shall remain in session until 7 p. m., when an adjournment shall be had until 10 a. m., to-morrow.

Mr. O'Brien offered the following resolution, and the rules were suspended and the resolution adopted :

Resolved by the House, the Senate concurring, That the governor be requested to return house bill number 789 for the purpose of amendment.

#### INTRODUCTION OF BILLS.

On a call of the counties bills were introduced severally read one time and referred to appropriate committees, as follows:

By Mr. Fuller (by request)—

H. 1212. To prohibit the sale of vinous, malt or spirituous liquors or other intoxicating drinks within the corporate limits of Marion, Perry county, Alabama,  
Local legislation ;

By Mr. Summers—

H. 1213, To permit the tax collector of Lawrence county to continue to reside in that part of said county which was attached to the county of Colbert, by an act passed at the present session of the general assembly, changing the boundary lines between the counties of Franklin, Colbert and Lawrence, to provide for the ex-

ercise of jurisdiction and authority by precinct officers in territory transferred by said act, and to provide for the determination of pending suits and judicial proceedings arising in said territory,

Local legislation;

By Mr. McQueen—

H. 1214. To relieve Gandison Brown, a minor, of the disabilities of non-age, under the laws of the state of Alabama,

Revision of laws;

Also,

H. 1215. To provide for the levy and collection of an annual tax of two-tenths of one per cent. on every one hundred dollars worth of taxable property in the town of Avondale, Alabama, or lawfully taxable in said town, for the purpose of supporting and maintaining a system of free public schools in said town so far as practicable,

Revision of laws.

#### BILLS ON SECOND READING.

The chairmen of the several committees reported favorably on the following bills :

H. 1211. To fix the time of holding the chancery courts in the northwestern chancery division and regulate the proceedings therein ;

H. 1143. To confer additional powers upon the Birmingham Trust and Savings Company, a body corporate, incorporated under the general laws of the state of Alabama,

(With amendment) ;

H. 1210. To amend an act to prescribe and regulate the terms of the court of county commissioners of Jefferson county, approved December 5, 1892 ;

H. 1197. To amend an act entitled an act to incorporate the town of Notasulga, in the county of Macon, approved February 7th, 1893,

H. 1206. To require any person or persons purchasing the property or franchises of any railroad or other corporation heretofore or hereafter created under the laws of this state, under any order or decree of any court to become incorporated under the laws of this state, before exercising the franchises of any railroad so purchased;

H. 1207. To require all corporations owning or operating railroads in this state to hold all meetings of stockholders in this state ;

s. 295. To amend an act to require all corporations to pay a fee or license for the use of the state before commencing business in this state, approved February 18, 1893,

(With amendment) ;

s. 297. To incorporate the Autauga Manufacturing Company in Autauga county, Alabama ;

s. 375. To incorporate the board of lady managers of the Hospital of United Charities, in Birmingham, Alabama;

s. 380. To authorize the mayor and aldermen of Birmingham to issue bonds of said city to fund and retire the outstanding bonded indebtedness of said city and establish a Reformatory and Work Farm and to purchase and establish an electric police alarm in said city;

s. 391. To confirm the incorporation of the Standard Club of Huntsville, Alabama, and to enlarge the powers and capacities of said club ;

s. 403. To provide for the working and improving of public roads situate in a part of Mobile county ;

s. 422. To authorize the court of county commissioners of Tuscaloosa county to issue and sell bonds of said county to an amount not exceeding twenty thousand dollars for the purpose of placing a draw in the bridge across the Warrior river at Tuscaloosa, Alabama, thus converting said bridge into a draw bridge, of strengthening and improving said bridge throughout its entire length and of erecting and maintaining other bridges in said county;

s. 428. To provide a system of water works for the city of Greenville and to authorize the mayor and city council of Greenville, Alabama, to issue bonds for an amount not exceeding twenty thousand dollars for the purpose of purchasing a system of water works;

s. 423. For the more efficient government of the district of Opelika by increasing the number of commissioners from five to seven, one of whom to be president and one recorder, prescribe the duties of said president and recorder and authorizing the election of clerk and chief of police and other subordinate officers by said board;

s. 358. To amend sections 3 and 9 of an act to enlarge and amend a charter under an act approved January 26, 1891, establishing a charter for the town of Woodlawn, in Jefferson county, Alabama;

H. 1191. To provide for the regulation and incorporation of insurance companies ;

H. 1193. To provide for the permanent location of the county site of Calhoun county, by a vote of the qualified electors of said county.

The above and foregoing bills were severally read a second time and placed on the calendar.

H. 952, H. 427 and H. 955 were taken from the adverse report, read a second time, and placed on the calendar.

s. 378 was returned by the committee and referred to the ways and means committee.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has passed the following house bills :

H. 884. To amend an act to incorporate the city of Tuscaloosa, approved March 12th, 1873, by the addition of the following, to be numbered section 102, in reference to the levying, assessment and collection of taxes on personal and real property by the mayor and aldermen of the city of Tuscaloosa, and the sale of the same for the payment of any taxes and costs due said city ;

H. 470. To make an appropriation for the expense of encampment of the Alabama state troops for the years 1895 and 1896;

H. 921. To amend section 1386 of the code of Alabama of 1876;

H. 369. Requiring any person or persons holding-claims against the fine and forfeiture fund in Cherokee county to register same within ninety days after the passage of this act;

H. 268. To prevent all persons from hunting upon the inclosed lands of the residents of Geneva county, except by written permission of the occupant of the inclosed premises;

H. 294. To amend an act for the preservation of lands and plantations in Bullock county from depredations by stock, approved February the 11th, 1893;

And has amended as therein shown, and, as amended, has passed the house bill

H. 626. To create the northern chancery division and provide for the appointment of a chancellor thereof and fix the time of holding chancery courts therein ;

And has originated and passed the following bill:

s. 399. To establish a separate school district in Cullman county, Alabama, to be known as the Bremen school district;

s. 154. To regulate the management of state and county convicts ;

s. 444. To authorize and empower the city council of Sheffield to close up, and sell or otherwise dispose of any of the streets or alleys in the city of Sheffield after having obtained the written consent of all the abutting owners ;

And has passed the house bill,

H. 1009. To establish the 13th judicial circuit of the State of Alabama, to fix the time of holding courts therein, and to provide for the appointment of a judge and the election of a solicitor for said circuit;

And the senate has amended as therein shown, and, as amended has passed the house bill,

H. 873. To consolidate and adjust the bonded debt of the State of Alabama;

And has passed the house bill,

H. 480. To authorize the municipality of Selma to force property owners of Selma to connect all waste pipe's, sinks and water closets on their premises with a sewer;

And has originated and passed the following bills :

s. 462. To provide for the assessment and collection of taxes due after January, 1895, on all property situated heretofore in the counties of Lawrence and Colbert, but made parts of Colbert and Franklin counties by an act entitled an act to change the boundary lines of the counties of Colbert, Franklin and Lawrence, approved February, 1895 ;

s. 459. To amend section 5, to repeal section 35, and section 36, and to add section 49 to an act entitled an act entitled an act to further regulate elections in the State of Alabama, approved February 21, 1893.

W. L. CLAY,  
Secretary.

## SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once, and referred to the committees, as follows:

To education, s. 399 ;

To penitentiary and criminal administration, s.154;

To corporations, s. 444 ;

To the judiciary, s. 462 ;

To privileges and elections, s. 459.

The house non-concurred in the senate amendment to H. 626;

And asked a committee of conference.

House committee :

Messrs. John, Kyle and McClusky.

On motion of Mr. Mr. John the consideration of the senate amendment to H. 873, was informally laid aside, on account of the absence of Mr. Davis, the introducer of the bill.

## BILLS ON THIRD READING.

H. 777. To amend section 19 of an act entitled an act to establish a charter for the city of Bridgeport,

Was read a third time, at length, and passed—yeas 55, nays 0.

Yeas :

Messrs. Banks, Barron, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Calhoun, Cook of Talladega, Cook of Wilcox, Dale, Deans, Ellis, Fielding, Fletcher, Forman, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Graves, John, Kelly, Kennedy, Killebrew, Kyle, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mixon, Moore, McCorvey, McQueen, O'Brien, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Savage, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Turner, Ward, Williams of Bullock, Williams of Henry, Wood—55.

H. 1181. To require sheriffs and their deputies to arrest persons doing business in this state without license,

Was read a third time, at length, and passed—yeas 54, nays 2.



Yeas:

Messrs. Banks, Barron, Bellinger, Brooks, Brown of Russell, Calhoun, Cole, Coleman, Cook of Talladega, Cook of Wicox, Deans, Fielding, Fletcher, Forman, Franklin, Fulton, Gewin, Gibbons, Graham, Graves, Harris, Hearn, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mixon, Moore, McCorvey, O'Brien, Rabb, Roach, Robbins, Rogers, Rowe, Routon, Savage, Smith of Autauga, Smith of Butler, Smith of Greene, Taylor, Ward, Willett, Williams of Bullock, Wood—54.

Nays :

Messrs. Brown of Russell, Williams of Henry—2.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bills, your signature thereto is requested :

s. 173. To amend an act entitled an act to incorporate the city of Columbia, in the county of Henry, approved February 21st, 1893,

s. 277. To dissolve the incorporation of the Mobile Athletic Association incorporated under the general laws of this state.

W. L. CLAY,  
Secretary.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

The committee on enrolled bills report the following bills correctly enrolled :

H. 821. To provide for the calling and holding of meetings of stockholders of railroad corporations in certain cases, and regulating the voting, the election of officers and the transaction of other business at such meetings ;

H. 921. To amend section 1386 of the code of Alabama, of 1876 ;

H. 470. To make an appropriation for the expense of encampment of the Alabama state troops for the years 1895 and 1896;

H. 56. To regulate and prescribe the manner of electing county commissioners, of Calhoun and Talladega counties;

H. 99. To provide a jury poll for and to regulate the manner of selecting and drawing grand and petit jurors for Pike county;

H. 103. To amend an act entitled an act to incorporate the Alabama Baptist Colored Normal and Theological School, and all amendments thereto;

H. 268. To prevent all persons from hunting upon the inclosed lands of the residents of Geneva county, except by written permission of the occupant of the inclosed premises;

H. 294. To amend an act for the preservation of lands and plantations in Bullock county from depredations by stock, approved February the 11th, 1893 ;

H. 369. Requiring any person or persons holding' claims against the fine and forfeiture fund in Cherokee county to register same within ninety days after the passage of this act;

H. 478. To incorporate the town of Brantley, Crenshaw county ;

H. 515. To amend section 1 of an act to regulate the taxation of insurance companies, approved February 20, 1893 ;

H. 518. To amend sections 1 and 2 of an act to incorporate the town of Rutledge in the county of Orenshaw, and State of Alabama, approved February 11th, 1893;

H. 690. To limit the criminal jurisdiction of justices of the peace and notaries public with the powers of justices of the peace in precincts twenty-one (21) and thirty-seven (37) in Jefferson county, and in all the wards of the city of Birmingham;

H. 911. To provide for the extension of stock law in Coosa county ;

H. 915. To refund to J. H. Williams of Elmore county the sum of eighty dollars, being purchase money for certain lands heretofore erroneously sold him by the state;

H. 917. To create the town of Greensboro, Alabama, a separate school district, to incorporate the same, and define, its powers and duties, and to provide for the

maintenance and management of the public schools of said district;

H. 434. To extend the territorial jurisdiction of notaries public and ex-officio justices of the peace, appointed for ward one (1) in the city of Anniston ;

H. 440. To relieve Worth Whiteside, of Calhoun county, Alabama, a minor, of the disabilities of non-age;

H. 814. To authorize the corporate authorities of the town of New Decatur, in the county of Morgan, to require the male inhabitants of said town, within certain ages, to perform work and labor on the streets and highways of said town, for the purpose of opening, maintaining and keeping said streets and highways in proper repair, and to require those failing to perform such work and labor, to pay annually a sum of money to be devoted to the opening, repair and maintenance of the streets and highways of said town.

J. H. MONTGOMERY,  
Chairman.

#### SIGNING BILLS.

The speaker of the house in the presence of the house immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set forth in the foregoing report of committee on enrolled bills, and senate message.

#### MESSAGE FROM THE GOVERNOR.

Mr. Speaker:

I have the honor to report that the following bills, which originated in the house, have been approved; Nos. 1029, 629, 401, 242, 336, 338, 577, 384, 400, 449, 746, 123, 122, 502, 250, 354, 799, 763, 804, 314, 187, 289, 292, 433.

Very respectfully,  
HARVEY E. JONES,  
Private Secretary.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate insists on its amendment to

H . 626. To create the northern chancery division and provide for the appointment of a chancellor thereof and fix the times of holding chancery courts therein,

And accedes to the request of the house for a committee of conference thereon.

Senate committee :

Messrs. Cunningham, Hundley and Sayre.

W. L. CLAY,  
Secretary.

The house proceeded to consider

H. 756. To amend the revenue laws of the state of Alabama.

Mr. Kelly moved to table the substitute proposed by the ways and means committee.

My Kelly's motion was carried.

Yeas 51, nays 19.

Yeas:

Messrs. Speaker, Banks, Barren, Beeson, Bellinger, Boykin, Brown of Conecuh, Burks, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Deans, Ellis, Fielding, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Harris, Hearn, Jackson, John, Kelly, Kennedy, Killebrew, Knight, Langley, Maples, Mastin, Meadows, Mahan, Mills, Mixon, Montgomery, McClusky, McQueen, Ott, Rand, Robbins, Rowe, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Ward, Williams of Henry—51.

Nays:

Messrs. Brooks, Brown of Russell, Calhoun, Dale, Fletcher, Graves, Kyle, Mayfield, Meador, O'Brien, Roach, Robinson, Sanford, Scarborough, Screws, Smith of Autauga, Turner, Williams of Bullock, Wood—19.

Mr. Brooks moved to further postpone the consideration of the bill till Monday, and Mr. Brooks' motion was on motion of Mr. John tabled.

Mr. Kelly moved that the bill be considered section by section and sub-division by sub-division.

Carried.

Mr. John moved that when a section or sub-division was read and no amendment offered, or when all amendments offered were disposed of, it be considered adopted.

Carried.

Mr. Brooks moved to strike out section 1 of the bill.

Lost—yeas 20, nays 44.

Yeas:

Messrs. Banks, Brooks, Calhoun, Dale, Fletcher, Graves, Kennedy, Knight, Kyle, Mayfield, Meador, Rand, Robinson, Screws, Turner, Williams of Bullock, Williams of Henry, Wood—20.

Nays:

Messrs. Speaker, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burns, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Ellis, Fielding, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Hearn, John, Kelly, Killebrew, Langley, Lipscomb, Maples, Mastin, Meadows, Mahan, Mills, Mixon, Montgomery, McClusky, Robbins, Sanford, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Ward—44.

Section 2 having been read, Mr. Calhoun moved to strike it out.

Mr. Kelly moved to table Mr. Calhoun's motion.

Lost—yeas 31, nays 32.

Yeas :

Messrs. Speaker, Barren, Brown of Conecuh, Burks, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Fielding, Fulton, Gewin, Gibbons, Hearn, Jackson, John, Kelly, Killebrew, Lipscomb, Maples, Mastin, Mahan, Mills, Mixon, McClusky, O'Brien, Roach, Sanford, Screws, Smith of Butler, Taylor, Tuck, Ward—31.

Nays :

Messrs. Banks, Beeson, Bellinger, Boykin, Brooks, Burns, Calhoun, Cook of Wilcox, Dale, Ellis, Fletcher, Forman, Franklin, Gains, Graves, Kennedy, Knight, Kyle, Langley, Mayfield, Meador, Meadows, Ott, Robbins, Robinson, Rowe, Scarborough, Screws, Smith of Greene, Smith of Mobile, Williams of Bullock, Wood—32.

And the house recessed till 3 o'clock this afternoon.

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#### AFTERNOON SESSION.

The house resumed consideration of

H. 756. To amend the revenue laws of the state of Alabama.

Mr. Meador moved to table the bill.

Mr. Meador's motion was lost.

Yeas 36, nays 36.

Yeas:

Messrs. Banks, Beeson, Bellinger, Brooks, Brown of Conecuh, Burks, Cook of Talladega, Cook of Wilcox, Dale, Deans, Ellis, Fletcher, Fuller, Gibbons, Graves, Harris, Hearn, Hill, Kennedy, Knight, Kyle, Meador, Meadows, McCorvey, Ott, Prowell, Rand, Robbins, Robinson, Savage, Scarborough, Smith of Butler, Turner, Williams of Bullock—36.

Nays :

Messrs. Speaker, Boykin, Brown of Russell, Calhoun, Cameron, Cole, Coleman, Fielding, Forman, Franklin, Gewin, John, Kelly, Killebrew, Langley, Lipscomb, Maples, Mastin, Mayfield, Mahan, Mills, Mixon, McClusky, McQueen, O'Brien, Roach, Seale, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Ward, Willett, Williams of Henry, Wood—36.

Mr. Knight moved to strike out the enacting clause.

A division was demanded and the vote was—yeas 10, nays 36.

Before the result was announced by the speaker the hour of five o'clock having arrived, the house proceeded with the regular order, which was

#### BILLS ON THIRD READING.

H. 999. To amend and re-enact Sections 3018, 3022, 3025, 3026, 3027, 3028, 3041, and to amend section 3048 of the code,

Was amended, read a third time & length and passed—yeas 54, nays 1.

Yeas :

Messrs. Speaker, Barren, Beeson, Boykin, Brooks, Brown of Conecuh, Burks, Calhoun, Cameron, Camp, Cole, Cook of Wilcox, Dale, Davis, Deans, Ellis, Fielding, Fletcher, Ford, Forman, Fuller, Fulton, Gewin, Gibbons, Kelly, Kennedy, Killebrew, Kyle, Langley, Maples, Mastin, Mayfield, Meador, Meadows, Mixon, McQueen, O'Brien, Ott, Prowell, Rand, Roach, Rob-

bins, Robinson, Rowe, Sanford, Savage, Scarborough, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Williams of Henry, Wood—54.

Nay :

Cook of Talladega—1.

H. 809. To amend an act entitled an act to regulate the trial of misdemeanors in Shelby county, Alabama, approved February 21, 1893,

Was amended, read a third time at length and passed—yeas 55, nays 0.

Yeas :

Messrs. Barron, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Burks, Calhoun, Cameron, Cole, Coleman, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Hearn, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mixon, McCorvey, McQueen, Patton, Prowell, Rand, Roach, Rowe, Sanford, Scarborough, Summers, Taylor, Tuck, Wheelless, Wood—55.

s. 265. To confirm the incorporation of the Twickenham Club of Huntsville, Alabama, and to enlarge the powers and capacities of said club,

Was amended, read a third time at length and passed—yeas 48, nays 5.

Yeas:

Messrs. Speaker, Banks, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Burks, Burns, Cameron, Cole, Coleman, Deans, Ellis, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Harris, John, Kelly, Kennedy, Killebrew, Kyle, Manning, Mastin, Mayfield, Meador, Meadows, Mahan, McCorvey, McQueen, O'Brien, Rand, Roach, Robbins, Robinson, Scarborough, Smith of Butler, Smith of Greene, Smith of Mobile Summers, Taylor, Tuck, Turner, Wood—48.

Nays :

Messrs. Brown of Russell, Fulton, Mixon, Ott, Williams of Henry—5.

H. 246. To amend sections 1, 2, 4, 6 and 9 of an iact to regulate the practice of Pharmacy and the sale of poisons, in cities and towns of more than 900 inhabitants in the state of Alabama, approved, February 28th, 1887,

and amended by acts approved February 20th and 25th, 1889,

Was read a third time, at length, and passed—yeas 38, nays 15.

Yeas :

Messrs. Speaker, Banks, Barren, Beeson, Bellinger, Brooks, Brown of Russell, Burks, Cameron, Ellis, Ford, Fulton, Gibbons, Graham, Graves, John, Kelly, Kennedy, Kyle, Langley, Maples, Mastin, Mayfield, Meadows, Mahan, McClusky, McCorvey, McQueen, O'Brien, Ott, Prowell, Rand, Roach, Robbins, Robinson, Sanford, Smith of Greene, Smith of Mobile, Wood—38.

Nays:

Messrs Boykin, Brown of Conecuh, Cole, Dale, Deans, Fielding, Fletcher, Harris, Jackson, Killebrew, Knight, Mastin, Summers, Tuck, Ward—15.

H. 897. To regulate the keeping of dogs in the counties of Barbour and Russell,

Was read a third time at length, and tabled.

H. 1079. To establish an agricultural school and experiment station at Blountville, Alabama, Cullman, Alabama, or Haleyville, Alabama, to be located by the governor, superintendent of education and commissioner of agriculture;

The minority report was non-concurred in,

And the bill was read a third time at length, and passed—yeas 54, nays 1.

Yeas :

Messrs. Speaker, Banks, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Cole, Coleman, Cook of Wilcox, Dale, Ellis, Fielding, Fletcher, Ford, Forman, Fuller, Fulton Gewin, Gibbons, Graves, Hearn, Hill, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Meador, Mills Mixon, O'Brien, Ott, Prowell, Reaves, Roach, Robinson, Scarborough, Smith of Butler, Smith of Mobile, Summers, Tuck, Turner, Ward, Williams of Bullock, Williams of Henry—54.

Nay :

Mr. Rowe—1.

And the house adjourned till 10 o'clock to-morrow morning.



## FORTY-FIFTH DAY.

## HOUSE OF REPRESENTATIVES,

February 11, 1895.

House met pursuant to adjournment.  
 Prayer by Rev. Mr. Morgan of Elmore.  
 A quorum was present.

## REPORT OF JOURNAL COMMITTEE.

The committee on revision of the journal reported the journal of yesterday correct.

## LEAVE OF ABSENCE.

Was granted to Messrs. Ott, O'Brien, Fielding and Killebrew, for one day; to Mr Ward till to-morrow night, and to Messrs. Routon and Ewing indefinitely.

## RESOLUTIONS.

By Mr. Robinson—

Resolved, That s. bill 218 and H. No. 31 be made the special order for to-morrow (Tuesday) immediately after the reports of standing committees.

By Mr. Jackson—

Resolved, That the committee on rules be instructed to submit their favorable or adverse report on the resolution offered by Mr. Jackson of Lee, on January the 22nd, 1895, immediately after the completion of the call of counties on to-morrow.

The above resolutions were referred to the committee on rules.

Mr. Jackson moved that the rules be suspended and that his resolution be put upon its passage.

Mr. Jackson's motion was lost—yeas 29, nays 46.

Yeas:

Messrs. Banks, Barren, Beeson, Bellinger, Brown of Conecuh, Burks, Cameron, Cole, Cook of Talladega, Ellis, Franklin, Fuller, Gains, Harris, Hearn, Jackson, Jinks, Langley, Manning, Mastin, Meadows, Mills,

Mixon, Reaves, Bobbins, Savage, Smith of Butler, Summers, Wheelless, Williams of Henry—29.

Nays:

Messrs. Speaker, Barron, Boykin, Brooks, Brown of Russell, Burns, Calhoun, Cmp, Cook of Wilcox, Dale, Davis, Fletcher, Fulton, Gibbons, Graves, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Maples, Mayfield, Meador, Mahan, Montgomery, Moore, McClusky, McCorvey, Patton, Perry, Prowell, Rand, Robinson, Rowe, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Whitten, Williams of Bullock, Wood—46.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

The committee on enrolled bills report the following bills correctly enrolled :

H. J. R. To compensate Reid Sayre for services rendered the joint committee of the two houses in the examination of the offices of state auditor and state treasurer ;

H. 689. To establish an inferior court of criminal jurisdiction in the city of Birmingham, define its powers, and provide for the election of a judge and appointment of a clerk thereof;

H. 480. To authorize the municipality of Selma to force property owners of Selma to connect all waste pipes, sinks and water closets on their premises with a sewer.

J.H.MONTGOMERY,  
Chairman,

#### SIGNING BILLS.

The speaker of the house in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set out in the foregoing report of the committee on enrolled bills.

#### BILLS ON THIRD READING.

H. 276. To amend section 4053 of the code of Ala-

bama, so far as relates to the counties of Morgan and Madison,

Was amended, read a third time, at length, and passed—yeas 29, nays 26.

Yeas :

Messrs. Speaker, Brooks, Burks, Burns, Camp, Coleman, Fletcher, Gains, Gewin, Kennedy, Knight, Kyle, Maples, Mayfield, Meador, Meadows, McClusky, McQueen, Reaves, Roach, Robinson, Screws, Smith of Greene, Smith of Mobile, Tuck, Turner, Whitten, Williams of Henry, Wood—29.

Nays :

Messrs. Barren, Boykin, Brown of Russell, Calhoun, Cole, Cook of Wilcox, Davis, Forman, Franklin, Fuller, Fulton, Gibbons, Graves, Harris, Hearn, Jackson, Langley, Lipscomb, Mastin, Mills, Mixon, Perry, Rowe, Savage, Summers, Wheelless, Williams of Bullock—26.

And the bill was ordered sent to the senate without engrossment.

H. 1003. To amend an act entitled an act to regulate the disposition and management of the bequest made by James Wallace, late of Lawrence county, Alabama, for the benefit of free public schools in township seven, range nine west, in said county, approved December 11, 1873,

Was read a third time, at length, and passed—yeas 56, nays 0.

Yeas :

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Russell, Burks, Cameron, Cole, Cook of Wilcox, Ellis, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graves, Harris, Hearn, Jackson, Jinks, John, Kelly, Knight, Kyle, Langley, Maples, Mastin, Mayfield, Meadows, Mahan, Mixon, Montgomery, McClusky, McQueen, Patton, Perry, Rand, Reaves, Roach, Bobbins, Robinson, Rogers, Rowe, Sanford, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Turner, Wheelless, Whitten, Williams of Bullock, Wood—56.

The bill was ordered to be sent at once to the senate without engrossment.

H. 1018. To incorporate the Southern Mutual Fire Insurance Company of Alabama,

Was read a third time at length and passed—yeas 55, nays 0.

Yeas:

Messrs. Speaker, Banks, Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Ellis, Fuller, Fulton, Gains, Gewin, Gibbons, Graves, Harris, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Meadows, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, Perry, Prowell, Reaves, Roach, Robbins, Robinson, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mibile, Summers, Tuck, Turner, Whitten, Williams of Bullock, Williams of Henry—55.

And the bill was ordered sent to the senate immediately without engrossment.

#### INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate committees, as follows:

By Mr. Smith, of Mobile—

H. 1216. To make appropriations for the compensation of the circuit judge for the thirteenth judicial circuit and for the compensation of the solicitor of said-thirteenth judicial circuit,

Appropriations;

By Mr. Williams, of Henry—

H. 1217. To authorize the filing of certain deeds of conveyance therein named, in the office of the judge of the probate of the various counties of this state,

Judiciary;

By Mr. O'Brien—

H. 1218. To repeal an act entitled an act to provide for the listing of lands by tax assessors, approved February 8, 1889, in so far as the same relates to Jefferson county, Alabama,

Ways and means;

By Mr. John—

H. 1219. To regulate the sale of goods marked "Sterling," "Sterling Silver" "Coin," or "Coin Silver,"

Revision of laws;

By Mr. Summers—

H. 1220. To repeal an act entitled an act to regulate the trials of misdemeanors in Lawrence county, approved February 6th, 1891,

Revision of laws ;

By Mr. Gains—

H. 1221. To amend section four of an act for the preservation of game animals and birds in the county of Walker,

Local legislation ;

By Mr. Montgomery (by request)—

H. 1222. To increase the jurisdiction of justices of the peace in Elyton precinct, No. 9, in Jefferson county, Alabama, in criminal cases,

Revision of laws;

By Mr. Kyle—

H. 1223. To pay L. P. Troup, ex-clerk and register of the city court of Decatur, fees earned by him in certain criminal cases and collected by the state,

Revision of laws ;

By Mr. Mastin (by request)—

H. 1224. For the relief of the estate of L. J. Hand, deceased,

Appropriations;

By Mr. McQueen—

H. 1225. For the better suppression of gambling, approved February 26, 1889, so as to allow pool selling within a place known as the fair grounds in Jefferson county, Alabama,

Revision of laws :

#### BILLS ON SECOND READING.

The chairmen of the several committees, reported favorably on the following bills :

H. 315. To authorize a subscription by the state for a digest of the Alabama reports ;

H. 995. For the relief of B. N. Lewis, E.G. Padgett and Jacob Neese as the sureties on the official bond of Wm. M. Snider, as superintendent of Covington county ;

H. 1014. For the relief of Mack Holmes ;

H. 1130. To define train robbing and fix a punishment therefor;

H. 1178. For the relief of White, Woodruff and Fowler, for record books and stationery furnished the supreme court of Alabama;

H. 1184. For the relief of W. H. and H. W. Slaughter, of Baldwin county, Alabama;

H. 1199. To pay for articles purchased for the use of the senate and house of representatives and for repairing the senate chamber and hall of the house of representatives, and for repairing and furnishing the rooms of the engrossing and enrolling clerk of the house of representatives,

H. 1214. To relieve Grandison Brown, a minor, of the disabilities of non-age, under the laws of the state: of Alabama;

H. 1215. To provide for the levy and collection of an annual tax of two tenths of one per cent. on every one hundred dollars worth of taxable property in the town of Avondale, Alabama, or lawfully taxable in said town, for the purpose of supporting and maintaining a system of free public schools in said town as far as practicable ;

s. 60. To amend an act entitled an act to amend subdivision 28 of section 629 of the code ;

s. 106. To amend sections one and two of an act to require the commissioners court of Jefferson county to pay for assistance to the solicitor for said county in suppressing crime out of certain funds in the county treasury, approved February 18, 1891;

s. 107. To repeal an act to authorize and require the commissioners court of Jefferson county, Alabama, to pay to the judge of the tenth judicial circuit of Alabama, five hundred dollars annually, approved February 18, 1891,

With amendment;

s. 192. For the relief of W. L. Stallworth ;

s. 207. To amend an act entitled an act to authorize the commissioners courts and county boards of revenue to aid indigent confederate soldiers, approved February 21, 1893 ;

s. 271. To provide for the holding of the circuit courts in the second judicial circuit;

s. 325. To amend an act entitled an act for the relief of needy confederate soldiers and sailors, resident of Alabama, who from wounds or other causes are now unable to earn a livelihood and for the widows of such as were

killed or died in said war, and have not since remarried, approved February 13, 1891;

s. 332. To make appropriations for additional clerical help in the state auditor's office ;

s. 336. For the relief of R. S. McWhorter late tax collector of Lowndes county ;

s, 397. To fix the salary of the state auditor ;

s. 404. To authorize the secretary of state to sell the lands known as the swamp and overflowed lands and the indemnity swamp lands belonging to the state ;

H. 754. To confer chancery powers and jurisdiction upon the circuit court in the several counties of the seventh judicial circuit of Alabama, to regulate the practice and proceeding in said courts and in the supreme court of Alabama, on appeal from said courts, and to fix the time and place of holding said courts ;

H. 1155. To change the boundary between Shelby and Jefferson counties;

s. 154. To regulate the management of state and county convicts;

Without recommendation.

The above and foregoing bills, were severally read a second time, and placed on the calendar.

#### REPORT OF CONFERENCE COMMITTEE.

Mr. Speaker:

We the undersigned conferees appointed by the two houses to consider the disagreement of the two houses on the senate amendment to the house bill

H. 626. To create the northern chancery division and provide for the appointment of a chancellor thereof, and fix the times of holding chancery courts therein ;

Recommend that the senate amendment so far as it fixes the time of holding chancery courts in the county of Morgan be amended by striking out the words, "in the sixth district, composed of the county of Morgan, at Decatur, on the second Monday after the fourth Monday in February and August, and may continue one week," and inserting in lieu thereof, the following :

"In the sixth district, composed of the county of Morgan, at Decatur, on the second Monday after the fourth Monday in February and August, and on the first Monday in June, and may continue one week."

And as herein amended we recommend that the senate amendment be concurred in.

Respectfully submitted,

O. KYLE,  
 SAM'L WILL, JOHN,  
 JOHN D. McCLUSKY,  
 Conferees of the house.  
 OSCAR. R. HUNDLEY,  
 J. N. CUNNINGHAM,  
 A. D. SAYRE,  
 Conferees of the senate.

The house concurred in the foregoing report of the conference committee.

Yeas 60, nays 0.

Yeas:

Messrs. Speaker, Barren, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Coleman, Dale, Ellis, Fielding, Fleming, Fletcher, Franklin, Fulton, Gains, Gewin, Gibbons, Harris, Jackson, Jinks, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mills, Mixon, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Patton, Rand, Reaves, Roach, Robbing, Robinson, Rowe, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Wheelless, Whitten, Williams of Bullock, Williams of Henry, Wood—60.

The house resumed consideration of

H. 756. To amend the revenue laws of the State of Alabama.

The speaker announced that Mr. Knight's motion to strike out the enacting clause, was lost.

Mr. John obtained consent to offer an amendment.

And Mr. John moved to strike out section 28.

Mr. Brooks moved as an amendment to Mr. John's motion to strike out all after the enacting clause, and insert in lieu thereof certain other sections.

Mr. Dale moved that Mr. Brooks' amendment be tabled.

Mr. Dale's motion was carried.

Yeas 60, nays 15.

Yeas :

Messrs. Speaker, Barren, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Cameron, Cole, Cole-



man, Cook of Talladega, Dale, Ellis, Fielding, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graves, Harris, Hearn, Jackson, John, Kelly, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mahan, Mills, Mixon, Montgomery, McClusky, McCorvey, Patton, Perry, Prowell, Rand, Reaves, Roach, Robbins, Rogers, Rowe, Savage, Seale, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Wheelless, Whitten, Williams of Bullock, Williams of Henry, Wood—60.

Nays:

Messrs. Beeson, Brooks, Calhoun, Camp, Davis, Fletcher, Hill, Kennedy, Meador, Moore, Robinson, Sanford, Screws, Smith of Autauga, Turner—15.

Mr. John's motion to strike out section 28 was carried.

Mr. John moved to strike out the last two lines of section 38.

Mr. John's motion was carried.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended as therein shown, and as amended has passed the house bills :

H. 456. To prevent stock from running at large in beat eighteen, in Elmore county, west of the Coosa river;

H. 949. To provide for repairing and furnishing the capitol and improving the capitol grounds ;

And the senate has concurred in the house joint resolution requesting the governor to return house bill No. 789, for the purpose of amendment.

And has originated and passed the following bills :

s. 252. To amend section 3739 of the code ;

s. 296. To exempt the chief operators of relay telegraph offices in this state from jury duty ;

s. 341. To more permanently establish the line between the counties of Blount and Walker;

s. 416. To incorporate the Southern Mutual Fire Insurance company of Alabama;

s. 414. To incorporate Blount Springs College, Blount county, Alabama;

s. 346. To authorize and require the commissioners

court of Hale county to make an order for the relief of James B. Kornegay of Marengo county;

s. 435. To provide for the holding of the courts in the second judicial circuit;

s. 434. To fix the time and to define the terms for the circuit court in the several counties of the tenth judicial circuit;

s. 430. To fix the right of the city of Mobile to certain real estate;

s.429. To fix the time for holding circuit court in the counties of Clay and Cleburne ;

s. 427. To provide compensation for witnesses in impeachment cases;

s. 441. To amend an act entitled an act to amend section 1761 (2098) of the code of Alabama, approved February 28, 1889 ;

s. 442. To amend an act entitled an act to amend an act to incorporate the dittrict of Opelika, and provide for the government thereof, approved February 19, 1883, approved February 16, 1885 ;

And has passed the house bill,

H. 1165. To instruct the auditor of the State of Alabama to draw his warrant on the state treasurer for the amount due the late James Taylor Jones as salary as judge of the first judicial circuit, up to the time of his death in favor of Virginia M. Jones, relict of seid Judge Jones.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message were severally read once and referred to the committees as follows :

To the judiciary, s. 252, 296, 435, 434, 429, 427, 441;

To corporations, s. 342, 416, 442 ;

To counties and county boundaries, s. 341;

To education, s. 414;

To appropriations", s. 346 ;

To revision of laws, s. 430.

The house non-concurred in the senate amendment to H. 456, and asked a conference committee thereon.

House committee: Messrs. Ellis, Whitten and Calhoun.

The house concurred in the senate amendment to, H. 949. To provide for repairing and furnishing the capitol and improving the capitol grounds.

Yeas 58, nays 0.

Yeas :

Messrs. Banks, Barren, Beeson, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Dale, Davis, Fletcher, Forman, Franklin, Gains, Gibbons, Harris, Hearn, Jackson, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Mahan, Mills, Mixon, Montgomery, Moore, McCorvey, Rand, Reaves, Roach, Robbins, Rogers, Rowe, Savage, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry, Wood—58.

And the house recessed till 3 o'clock this afternoon.

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#### AFTERNOON SESSION.

The house resumed consideration of H. 756. To amend the revenue laws of the state of Alabama.

Sections from 2 to 23 were read and considered and various amendments were offered and adopted.

Section 24 was read.

Mr. Knight offered an amendment.

Pending the consideration of Mr. Knight's amendment, the house proceeded to consider the following

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has originated and passed the following bills :

s. 477. To fix the time of holding the circuit courts in the counties composing the first judicial circuit;

s. 342. To authorize the mayor and city council of

Troy, Alabama, to issue bonds of said city for an amount not exceeding twenty thousand dollars, for the purpose of, purchasing land and erecting and equipping school buildings thereon and for the improvement of the electric light plant and water works system of the city of Troy, Alabama;

And the senate has concurred in the house amendments to the senate bill:

s. 265. To confirm the incorporation of the Twickenham Club of Huntsville, Alabama, and to enlarge the powers and capacities of said club;

And the senate insists on its amendment to the house bill,

H. 456. To prevent stock from running at large in beat eighteen in Elmore county, west of the Coosa river,

And accedes to the request of the house for a committee of conference thereon :

Committee on the part of the senate, Messrs. Kilpatrick, McRae and Austill;

And the senate has originated and passed the following bills:

s. 373. To authorize and direct the judge of the circuit court of Calhoun county to establish districts in said county, in which stock may be prevented from running at large, and to regulate such districts ;

s. 446. To authorize the probate judge and county commissioners of Randolph county to lay off beat number 3 and beat number 6 and all that part of township 18, of range 10, that lies west of Big Tallapoosa river into stock law districts, and to authorize elections thereon to prohibit stock from running at large in said districts ;

s. 445. To authorize the mayor and aldermen of the city of Huntsville to issue certain negotiable bonds ;

s. 274. To provide for and regulate contests of elections for governor, secretary of state, state auditor, state treasurer and attorney general;

s. 440. To amend an act entitled an act to incorporate the town of Moulton, in Lawrence county, Alabama, approved February 14th, 1891.

The last named bill is ordered to be sent to the house without engrossment.

And has concurred in the report of the conference

committee on the disagreement of the two houses on the house bill,

H. 626. To create the northern chancery division and provide for the appointment of a chancellor thereof and fix the times of holding court therein ;

And the senate has originated and passed the following bills :

s. 245. To relieve Robert Lockhart of Jefferson county of the disabilities of non-age ;

s. 436. To incorporate the "Southern Dumber Fire Association" of Birmingham, Alabama, and to define its rights, powers and franchises ;

s. 437. To incorporate the Industrial Mutual Assurance company of Birmingham, Alabama, and to define its rights, powers and franchises.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received whose titles, are set forth in the above and foregoing message were severally read once and referred to the committees as follows :

To the judiciary, s. 477, 342, 245 ;

To local legislation, s. 373, 446 ;

To corporations, s. 445, 440 ;

To privileges and elections, s. 274 ;

To banking and insurance, s. 436, 437.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

The committee on enrolled bills report the following bills correctly enrolled :

H. 477. To fix the times and places of holding the courts in the first judicial circuit of Alabama, and to regulate the practice therein ;

H. 884. To amend an act to incorporate the city of Tuskaloosa, approved March 12th, 1873, by the addition of the following to be numbered section 102 in reference to the levying, assessment and collection of taxes on personal and real property by the mayor and aldermen of the city of Tuskaloosa and the sale of the

same for the payment of any taxes and costs due said city;

H. 949. To provide for repairing and furnishing the capital, and improving the capital grounds ;

H. 1009. To establish the 13th judicial circuit, of the state of Alabama, to fix the time of holding courts therein, and to provide for the appointment of a judge and the election of a solicitor for said circuit;

H. 1165. To instruct the auditor of the state of Alabama to draw his warrant on the state treasurer for the amount due the late James Taylor Jones, as salary as judge of the first judicial circuit up the time of his death in favor of Virginia M. Jones, relict of the said judge Jones.

J. H. MONTGOMERY,  
Chairman.

#### SIGNING BILLS.

The speaker of the house in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set forth in the foregoing report of committee on enrolled bills.

#### REPORT OF RULES COMMITTEE.

The rules committee reported favorably the resolution of Mr. Calhoun, raising a committee on final adjournment, and the resolution was adopted.

The speaker appointed thereunder Messrs. Calhoun, Smith of Autauga, and Meador.

And the house recessed till 7 :30 o'clock to-night.

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#### NIGHT SESSION.

#### BILLS ON THIRD READING.

H. 668. To authorize the people of Cherokee county to hold an election on the question of issuing bonds to build a free public bridge across Coosa river in said

county, and to authorize the court of county commissioners to issue bonds for the same ;

The bill was amended, and as amended, was read a third time at length, and passed—yeas 53, nays 0.

Yeas :

Messrs. Banks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Cole, Coleman, Cook of Wilcox, Davis, Deans, Ellis, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graves, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Mahan, Mills, Mixon, Montgomery, Moore, Rand, Reaves, Roach, Robbing, Robinson, Rogers, Rowe, Savage, Scarborough, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Whitten, Williams of Bullock, Williams of Henry, Wood—53.

H. 1066. To establish an agricultural school and experiment station at Springville in St. Clair county,

Was amended, and as amended, was read a third time at length, and passed—yeas 55, nays 0.

Yeas :

Messrs. Speaker, Banks, Beeson, Brown of Russell, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ellis, Ewing, Fletcher, Forman, Franklin, Fuller, Fulton, Gibbons, Graves, Hill, Jinks, John, Kelly, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Montgomery, McQueen, Prowell, Rabb, Rand, Reaves, Roach, Robinson, Rogers, Rowe, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Tuck, Turner, Whitten, Willett, Williams of Bullock, Williams of Henry, Wood—55.

And the bill was ordered sent to the senate without engrossment.

H. 675. To provide for the re-surveying, designating and locating the line between the counties of Jackson and DeKalb,

Was read a third time at length and passed—yeas 57, nays 0.

Yeas :

Messrs. Speaker, Banks, Beasley, Beeson, Brown of Russell, Burns, Calhoun, Cameron, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Deans, Ellis, Ewing,

Fielding, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graves, Harris, Hearn, Jackson, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mills, Mixon, Montgomery, McQueen, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Savage, Scarborough, Smith of Autauga, Smith of Greene, Tuck, Turner, Whitten, Williams of Bullock, Williams of Henry—57.

s. 267. To detach Lowndes county from the fourth and attach it to the second judicial circuit and to detach the county of Bibb from the fifth and attach it to the fourth judicial circuit and to detach the county of Covington from the second and attach it to the twelfth judicial circuit and to fix the time for holding the circuit courts in said counties,

Was read a third time at length, and passed—yeas 34, nays 24.

Yeas:

Messrs. Speaker, Beeson, Boykin, Brown of Russell, Burns, Calhoun, Cameron, Cook of Wilcox, Fletcher, Fulton, Gewin, Graves, John, Kyle, Lipscomb, Mayfield, Mills, Moore, McQueen, Rand, Robbins, Robinson, Rogers, Rowe, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Whitten, Williams of Bullock, Williams of Henry—34.

Nays:

Messrs. Banks, Beeson, Brown of Conecuh, Coleman, Cook of Talladega, Dale, Davis, Deans, Ellis, Forman, Franklin, Fulton, Hearn, Jackson, Kelly, Kennedy, Langley, Maples, Mastin, Mayfield, Mahan, Mixon, Montgomery, Roach, Summers—24.

H. 744. To amend an act to incorporate the city of Tuskaloosa, approved March 12th, 1873, by the addition of sections 99, 100 and 101 in reference to the levy and collection of a tax on certain persons, businesses, and vocations within the corporate limits of said city, and the licensing, restraining and regulating of the same, and to provide punishment for the doing of such business without having taken out a license or paid such tax,

Was read a third time at length and passed—yeas 56, nays 2.

Yeas:

Messrs. Banks, Beeson, Boykin, Burns, Calhoun, Cole-



man, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graves, Hearn, Jackson, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McQueen, Reaves, Roach, Robbins, Robinson, Rogers, Savage, Scarborough, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Whitten, Williams of Bullock, Williams of Henry, Wood—56.

Nays:

Messrs. Brown, of Russell, Rowe—2.

H. 658. To prevent all persons from hunting upon the inclosed lands of the residents of Wilcox county except by written permission of the occupant of the inclosed premises,

Was amended, read a third time at length and passed—yeas 51, nays 0.

Yeas:

Messrs. Beeson, Boykin, Brooks, Brown of Russell, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Harris, Hearn, Jackson, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Mahan, Mixon, Montgomery, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Rowton, Sanford, Savage, Screws, Smith of Autauga, Smith of Mobile, Taylor, Tuck, Turner, Whitten, Williams of Bullock, Williams of Henry, Wood—51.

H. 803. To charter the town of Oakman, in the county of Walker; state of Alabama,

Was read a third time at length and passed—yeas 54, nays 0.

Yeas:

Messrs. Beeson, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graves, Hearn, Jackson, John, Kelly, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Meadows, Mixon, Montgomery, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Screws, Smith of Autauga, Smith of

58 h

Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Whitten, Williams of Bullock, Williams of Henry, Wood—54.

H.1095. To prevent stock from running at large from the first day of March to the fifteenth day of November in each and every year in certain portions or territory of precinct No. 4, in Hale County, Alabama,

Was read a third time at length and passed—yeas 55, nays 0.

Yeas:

Messrs. Banks, Beasley, Beeson, Boykin, Brown of Russell, Burks, Calhoun, Cameron, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graves, Hearn, Jackson, John, Kelly, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Meador, Meadows, Mixon, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Turner, Willett, Williams of Bullock, Williams of Henry, Wood—55.

H. 1031. To establish a board of revenue for Barbour county;

A substitute with the same title was adopted,

And the bill was read a third time at length and passed—yeas 57, nays 0.

Yeas:

Messrs. Speaker, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ellis, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graves, Hearn, Jackson, Jinks, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mahan, Montgomery, McQueen, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Savage, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Willett, Williams of Bullock, Williams of Henry, Wood— 57.

s. 224. To amend sections 3, 5, 6, 7, 10, 11, 12, 15, 17, 18, 24, 27, 35, 37, 38, 42, 52, 53, 54, 55, 57, 59, 60, 61, 62, 65, 66, 71, 73, 77, 78, 79, 81, 83, 84, 85 and 96,

and to repeal section 82 of an act to establish a new charter for the city of Montgomery, approved February 21, 1893,

Was amended, read a third time, at length, and passed—yeas 58, nays 0.

Yeas:

Messrs. Speaker, Banks, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Dale, Davis, Deans, Ellis, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graves, Hearn, Jackson, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Mahan, Mixon, Montgomery, McQueen, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Williams of Bullock, Williams of Henry, Wood—58.

H. 1193. To provide for the permanent location of the county site of Calhoun county, by a vote of the qualified electors of said county.

A substitute with the same title was adopted, and the bill

Was read a third time, at length, and passed—yeas 53, nays 4.

Yeas:

Messrs. Speaker, Banks, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Davis, Deans, Ellis, Fletcher, Fuller, Fulton, Gewin, Gibbons, Graves, Hearn, Hill, Jackson, Kelly, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Mahan, Mills, Mixon, Montgomery, McQueen, Reaves, Roach, Robbins, Robinson, Rogers, Sanford, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Williams of Bullock, Williams of Henry, Wood—53.

Nays:

Messrs. John, Kennedy, Rowe, Scarborough—4.

H. 993. To provide for the payment of claims against the fine and forfeiture fund of Clarke county,

Was read a third time, at length, and passed—yeas 51, nays 0.

Yeas:

Messrs. Speaker, Beeson, Boykin, Calhoun, Cameron,

Cole, Coleman, Davis, Deans, Fletcher, Forman, Franklin, Fuller, Fulton, Gibbons, Graves, Hill, Jackson, Jinks, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Mahan, Mills, McQueen, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Savage, Scarborough, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Turner, Wheelless, Whitten, Williams of Bullock, Williams of Henry, Wood—51.

H. 540. To authorize the city of Eufaula to construct and maintain a system of sanitary sewerage, and to regulate connections with the same,

Was amended, read a third time at length and passed—yeas 52, nays 0.

Yeas :

Messrs. Speaker, Banks, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Cole, Cook of Talladega, Davis, Deans, Fletcher, Franklin, Fulton, Gewin, Gibbons, Graves, Hearn, Hill, Jackson, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Mahan, Mills, Montgomery, McQueen, Reaves, Robbins, Robinson, Rogers, Rowe, Scarborough, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Whitten, Williams of Bullock, Williams of Henry, Wood—52.

#### REPORT OF CONFERENCE COMMITTEE.

We the committee on conference to house bill No. 456, beg leave to report the following :

We recommend that the senate amendment be concurred in.

H. C. ELLIS,  
E. O. CALHOUN,  
C. A. WHITTON,  
On part of house.  
JNO. Y. KILPATRICK,  
L. W. MCRAE,  
H. AUSTILL.

The house concurred in the foregoing conference report.

Yeas 55, nays 0.

Yeas:

Messrs. Speaker, Brown of Russell, Burks, Calhoun,

Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Fleming, Fletcher, Forman, Fuller, Fulton, Gains, Gewin, Gibbons, Graves, Harris, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mahan, Mixon, Montgomery, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Savage, Scarborough, Screws, Smith of Autauga, Summers, Turner, Whitten, Williams of Bullock, Williams of Henry, Wood—55.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has originated and passed the following bills:

s. 452. To authorize the auditor to execute a deed to Amos S. Hoffer to the east half of northeast quarter of section 16, township 24, range 22, in Tallapoosa county, Alabama, conveying the title of the state in said land to said Amos F. Hoffer ;

s. 313. To relieve M. D. Still, of Elmore county, Alabama, of the disabilities of non-age ;

s. 455. To provide for a special judge for the county court of Wilcox county, Alabama, when the judge of said court is prevented from any cause from holding the jury term of said court;

s. 438. For the relief of L. L. Jamison ;

s. 431. For the relief of T. J. Middlebrooks, of Lowndes county;

s. 367. To incorporate the Madison Loan and Trust Company;

s. 453. For the relief of M. F. Beck, of Lee county, Alabama;

s. 216. To regulate the trial of misdemeanors in the county of Marshall;

s. 450. To repeal an act entitled an act to create a separate school district in Jackson county, to be known as Pleasant Grove district, out of a part of township 5, range 6 east, approved February 21, 1887, and an act amendatory thereof, approved February 15, 1889, and another act amendatory thereof, approved February 18, 1891, and to provide for the election of township trustees in said township 5, range 6 ;

s. 454. To amend and confirm the charter of the State Abstract Company, of Montgomery county, Alabama, a corporation under the laws of said state, and to authorize a reduction of its capital stock;

s. 425. To ratify and confirm the charter of the Standard Building and Loan Association, of Montgomery, Alabama, the Mutual Benefit Building and Loan Association, of Montgomery, and the Home Building, and Loan Association, of Montgomery, corporations under the general laws of the state, and to authorize them to issue what is known as "paid up" stock, and to lend money on the stock of their members ;

s. 362. To prevent deception in the manufacture and sale of imitation butter;

s. 468. To authorize and regulate the sale of real and personal property for city taxes in the city of Ft. Payne, DeKalb county, Alabama, and for the redemption of lands sold for city taxes ;

s. 458. To incorporate the "Industrial Insurance Company," of Birmingham, Alabama ;

s. 470. To, amend sections 3 and 4 of an act entitled an act to establish a new charter for Eufaula, approved February 28, 1870;

And has concurred in the house, joint resolution requesting the governor to return house bill No. 60, to the house for correction;

And has originated and passed the following bills and ordered, the same to be sent to the house without engrossment:

s.475. To permit the tax collector of Lawrence county to continue to reside in that part of said county which was attached to the county of Colbert by an act passed. at the present session of the general assembly changing the boundary lines between the counties of Franklin, Colbert and Lawrence; to provide for the exercise of jurisdiction and authority by precinct officers in the territory transferred by said act, and to provide for the determination of pending suits and judicial proceedings arising in said territory;

s. 424. To regulate the payment and fix the rate of compensation to be received by state witnesses attending court in criminal proceedings so far as the same relates to the county of Barbour;

s. 474. To authorize the city of Eufaula to issue bonds for funding its present bonded debt;

s. 472. To establish a charter, for the city of Columbiana, in Shelby county, Alabama;

s. 471. To establish a board of revenue for Barbour county ;

s. 478. To repeal an act entitled an act to provide for the listing of lands by tax assessors; approved February 28, 1889, in so far as the same relates to Jefferson county, Alabama.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received whose titles are set forth in the above and foregoing message were severally read once and referred to the committees as follows :

To judiciary, s. 452, 455;

To revision of laws, s. 313, 216;

To appropriations, s. 438;

To ways and means, s. 431, 453, 478 ;

To corporations, s. 367, 454, 425, 468, 458, 470, 474, 472;

To education, s. 450 ;

To agriculture, s. 362;

To local legislation, s. 475, 424, 471.

And the house adjourned till 9 o'clock to-morrow morning.

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#### FORTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,  
February 12, 1895.

The house met pursuant to adjournment.

A quorum was present.

Prayer by the Rev. Mr. Rowe of the house.

#### LEAVE OF ABSENCE

Was granted as follows:

To Messrs. Meador, Fielding and Wood for one day.

## RESOLUTIONS.

By Mr. Whitten—

That a committee of five persons be appointed to investigate the charges of corruption made by the public press against members of this house in voting upon house bill 821, which committee shall have the power in making such investigation to compel persons to appear before it by a writ of subpoena and to compel them to produce any and all papers they may see fit to examine in such investigation;

Which was referred to committee on rules.

By Mr. Knight—

Resolved by the House, the Senate concurring, That house bill 264 be recalled from the governor for the purpose of amendment;

Adopted.

Resolved by the House, the Senate concurring, That the speaker of the house and the president of the senate be requested to erase their signatures from senate bill No. 173 for the purpose of amendment;

Adopted.

## BILLS ON SECOND READING.

The chairmen of the several committees reported favorably on the following bills :

H. 1225. To amend an act entitled an act for the better suppression of gambling, approved February 26, 1889, so as to allow pool selling within a place known as the fair grounds in Jefferson county, Alabama;

H. 1208. To amend section two of an act to prevent stock from running at large in certain parts of Marengo county;

H. 1216. To make appropriations for the compensation of the circuit judge of the thirteenth judicial circuit and for the compensation of the solicitor of said thirteenth judicial circuit;

H. 608. To amend an act entitled an act to establish a new charter for the city of Sheffield, in the county of Colbert, State of Alabama, approved December 12th, 1892;

s. 436. To incorporate the "Southern Lumber Fire



Association" of Birmingham, Alabama, and to define its rights, powers and franchises ;

s. 437. To incorporate the Industrial Mutual Assurance company of Birmingham, and to define its rights, powers and franchises;

s. 373. To authorize and direct the judge of the probate court of Calhoun county to establish districts in said county, in which stock may be prevented from running at large, and to regulate such districts ;

s. 458. To incorporate the Industrial Insurance Company of Birmingham, Alabama ;

s. 450. To repeal an act entitled an act to create a separate school district in Jackson county, to be known as Pleasant Grove District, out of a part of township five, range six east, approved February 21, 1887. and an act amendatory thereof approved February 15, 1889, and another act amendatory thereof approved February 18, 1891, and to provide for the election of township trustees in said township five, range six;

s. 362. To prevent deception in the manufacture and sale of imitation butter ;

s. 342. To authorize the mayor and city council of Troy, Alabama, to issue bonds of said city for an amount not exceeding twenty thousand dollars, for the purpose of purchasing land and erecting and equipping school buildings thereon and for the improvement of the electric light plant and water works system of the city of Troy, Alabama.

The above and foregoing bills, were severally read a second time, and placed on the calendar.

#### MESSAGE FROM THE SENATE.

M.. Speaker:

The senate has adopted a joint resolution, herewith sent, requesting the president of the senate and speaker of the house to erase their signatures from the house bills H. 264 and 60.

And also has adopted a joint resolution, herewith sent,

Providing that a sufficient amount of the appropriation for repairing and improving the capitol and the capitol grounds, made at the session of 1894-5 shall be devoted to the enclosing, warming and furnishing comfortable seats or benches in the rotunda of the capitol.

And has concurred in the report of the conference committee on the disagreement of the two houses on the senate amendment, to

H.456. To prevent stock from running at large, in beat eighteen in Elmore county, west of, the Coosa river.

And has amended as therein shown, and, as amended, has passed the house bills ;

H. 243. To regulate and prescribe the manner of electing county commissioners of Perry county ;

H. 370. To amend section two, three and four of an act entitled "an act to regulate the apportionment of the school fund in this state by the superintendent of education," approved February 10, 1891, so far as relates to the counties of Clarke and Washington;

And has, concurred in the house joint resolution, requesting the speaker of the house and the president of the senate to erase their signatures from the senate bill 173;

And the senate has adopted a joint, resolution, herewith sent, requesting the president of the senate and speaker of the house to erase their signatures from the house bill 789;

And has also adopted a joint resolution, herewith sent, requesting the governor to return the senate bill No. 173 for amendment;

And has originated and passed the following bill:

s.402. To authorize the city council of Montgomery to issue bonds for the purpose of paving or otherwise improving the streets and sidewalks, or either, of the city of Montgomery;

And the senate, has concurred in the house joint resolution, recalling from the governor the house bill 264 for amendment;

And has originated and passed the following bills :

s. 171. To regulate the ginning of cotton at public or private gins for pay ;

s. 328. To regulate the sale of spirituous, vinous and malt liquors in the corporate limits of the town of Roanoke, in Randolph county, Alabama.

W. L. CLAY,  
Secretary.

## SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message-were severally read once and referred to the committees as follows :

To corporations, s. 402;

To revision of laws, s. 171;

To temperance, s. 328;

And the house concurred in the senate joint resolution requesting the president of the senate and speaker of the house to erase their signatures from house bills 264 and 60;

And has also concurred in the senate joint resolution,

Providing that a sufficient amount of the appropriation for repairing the capitol and the capitol grounds made at the session of 1894-5, shall be devoted to the enclosing, warming and furnishing comfortable seats or benches in the rotunda of the capitol;

And the house concurred in the senate amendment to, H. 243. To regulate and prescribe the manner of electing county commissioners of Perry county,

Yeas 57, nays 0.

Yeas:

Messrs. Speaker, Barren, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ellis, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Graves, Jackson, Jinks, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Montgomery, McCorvey, O'Brien, Patton, Prowell, Reaves, Robinson, Rowe, Sanford, Savage, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Turner, Whitten, Williams of Bullock, Williams of Henry—57.

Also in the senate amendments to

H. 370. To amend section two, three and four of an act entitled an act to regulate the apportionment of the school fund in this state by the superintendent of education, approved February 10, 1891, so far as relates to the counties of Clarke and Washington,

Yeas 53, nays 0.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger,

Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cook of Wilcox, Dale, Davis, Fielding, Fleming, Fletcher, Ford, Forman, Fuller, Fulton, Gewin, Gibbons, Graham, Graves, Jackson, Jinks, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows, Montgomery, Moore, McClusky, McCorvey, Prowell, Bobbins, Robinson, Rowe, Savage, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Wheeless, Whitten, Williams of Bullock, Williams of Henry—53.

And has concurred in the joint resolution requesting the president of the senate and speaker of the house to erase their signatures from H. 789;

And has concurred in the senate joint resolution, Requesting the governor to return the senate bill 173.

#### CONFERENCE COMMITTEE.

The speaker of the house appointed as a committee of conference on the part of the house, on the disagreement of the two houses on the senate amendments to the house bill 873,

Messrs. Davis, Brooks and Boykin.

#### UNFINISHED BUSINESS.

The house resumed consideration of H. 756. To amend the revenue laws of the State of Alabama;

The question recurred on, Mr. Knight's amendment to section 24, which was lost.

Mr. Brooks moved to strike out section 24;

And Mr. Brooks' motion was lost.

Mr. Maples moved to adopt section 24, and the motion was carried.

Section 25 was read and adopted.

Section 26 Was adopted.

Mr. John offered an amendment to section 27 which was adopted.

Mr. Knight offered an amendment to be numbered 25½ and Mr. Knight's amendment was adopted.

Sections 27 and 28 were read and adopted.

Mr. John offered an amendment to section 29, which was adopted.

Section 30 was read.

Mr. Calhoun offered an amendment.

Mr. Whitten moved an amendment to the amendment.

Mr. Cameron moved to table both amendments.

Carried.

Section 31 was read.

Mr. Whitten moved to strike out section 31.

Lost.

Mr. Boykin offered an amendment.

Mr. Knight moved to table Mr. Boykin's amendment.

Lost.

Mr. Sanford offered an amendment to Mr. Boykin's amendment.

Lost.

And Mr. Boykin's amendment was adopted.

Mr. Cameron offered an amendment to section 31, which was adopted.

Mr. Davis moved to table the bill and amendments.

Lost.

Yeas 31, nays 41.

Yeas:

Messrs. Beeson, Bellinger, Brooks, Burks, Burns, Davis, Deans, Fielding, Fletcher, Ford, Franklin, Fuller, Gains, Graham, Harris, Hearn, Kennedy, Knight, Kyle, Langley, Manning, Meadows, Mills, Moore, Bobbins, Robinson, Sanford, Scarborough, Smith of Autauga, Summers, Turner—31.

Nays :

Messrs. Speaker, Barren, Beeson, Boykin, Brown of Russell, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Ellis, Fleming, Forman, Fulton, Gewin, Gibbons, Graves, Jackson, Jinks, John, Lipscomb, Maples, Mastin, Mayfield, Mahan, Montgomery, O'Brien, Patton, Prowell, Roach, Rogers, Rowe, Seale, Smith of Greene, Smith of Mobile, Wheeless, Whitten, Williams of Bullock, Williams of Henry—41.

And the house recessed until 3 :30 this afternoon.

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#### AFTERNOON SESSION.

The house resumed consideration of

H. 756. To amend the revenue laws of the State of Alabama;

Section 32 was read and adopted.

Mr. John moved an amendment to section 33 which was adopted.

Mr. Kyle moved to strike out section 33.

Lost.

Mr. Sanford moved to reconsider the vote by which Mr. Kyle's motion was lost.

Mr. Boykin moved to table Mr. Sanford's motion.

The yeas and nays were demanded, and the motion to table was carried.

Yeas 42, nays 27.

Yeas:

Messrs. Speaker, Banks, Boykin, Brown of Russell, Calhoun, Cameron, Cole, Cook of Wilcox, Dale, Fleming, Forman, Franklin, Fulton, Gewin, Gibbons, Graves, John, Kelly, Kennedy, Lipscomb, Maples, Mastin, Mayfield, Mahan, Mixon, Montgomery, McClusky, O'Brien, Patton, Perry, Prowell, Rand, Roach, Rogers, Rowe, Smith of Greene, Smith of Mobile, Wheelless, Whitten, Williams of Bullock, Williams of Henry—42.

Nays:

Messrs. Beeson, Bellinger, Brooks, Burks, Camp, Coleman, Cook of Talladega, Deans, Fuller, Gains, Harris, Hearn, Hill, Knight, Kyle, Langley, Meadows, Moore, McCorvey, Reaves, Robbins, Robinson, Sanford, Savage, Scarborough, Smith of Autauga, Summers, Turner—27.

Mr. Cameron moved the previous question on the third reading and passage of the bill. The previous question was ordered.

Yeas 50, nays 21.

Yeas:

Messrs. Speaker, Barron, Beasley, Boykin, Brown of Russell, Calhoun, Cameron, Cole, Cook of Wilcox, Dale, Fleming, Forman, Franklin, Fulton, Gains, Gibbons, Graves, Jackson, Jinks, John, Kelly, Kennedy, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mahan, Montgomery, Moore, McClusky, O'Brien, Patton, Perry, Prowell, Rand, Reaves, Roach, Robbins, Rogers, Rowe, Sanford, Savage, Smith of Greene, Smith of Mobile, Summers, Wheelless, Williams of Bullock, Williams of Henry—50.

Nays:

Messrs. Banks, Beeson, Bellinger, Brooks, Brown of Conecuh, Camp, Cook of Talladega, Deans, Harris, Hill, Knight, Kyle, Mills, Mixon, McCorvey, Robinson, Scarborough, Screws, Turner—21.

And the bill

H. 756. To amend the revenue laws of the state of Alabama.

Was read a third time at length and lost—yeas 32, nays 49.

Yeas:

Messrs. Speaker, Barren, Boykin, Brown of Russell, Cameron, Dale, Fleming, Fulton, Gewin, Gibbons, Graves, John, Kelly, Lipscomb, Maples, Mastin, Mayfield, Mahan, Montgomery, McClusky, O'Brien, Patton, Perry, Prowell, Rand, Roach, Rogers, Rowe, Smith of Greene, Smith of Mobile, Whitten, Williams of Bullock—32.

Nays:

Messrs. Banks, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Burks, Calhoun, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Davis, Deans, Ellis, Fletcher, Ford, Forman, Franklin, Fulton, Gains, Gaaves, Harris, Hearn, Hill, Jackson, Jinks, Kennedy, Knight, Kyle, Langley, Meador, Meadows, Mills, Mixon, Moore, McCorvey, McQueen, Reaves, Robbins, Robinson, Sanford, Savage, Scarborough, Screws, Smith of Autauga, Summers, Turner, Wheelless, Williams of Henry—49.

Mr. Robinson moved to reconsider the vote by which the bill was lost, and to lay that motion on the table.

H. 320. To authorize the treasurer of the state of Alabama to pay all warrants which have been drawn by the auditor of said state on said treasurer on account of cost bills in penitentiary cases,

Was read a third time at length and passed—yeas 53, nays 1.

Yeas:

Messrs. Speaker, Barren, Beeson, Boykin, Brooks, Calhoun, Cameron, Cole, Coleman, Cook of Wilcox, Dale, Davis, Deans, Fielding, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Graham, Graves, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples,

Mayfield, Meador, Meadows, Mahan, McClusky, McCorvey, Perry, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Rowton, Sanford, Smith of Autauga, Smith of Greene, Smith of Mobile. Turner, Wheelless, Whitten, Williams of Bullock, Williams of Henry—53.

Nays:

Mr. Brown of Russell—1.

The bill was ordered to the senate without engrossment.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bills, your signature thereto is requested.

s. 265. To confirm the incorporation of the Twickenham Club of Huntsville, Alabama, and to enlarge the powers and capacities of said club;

s. 267. To detach Lowndes county from the fourth and attach it to the second judicial circuit and to detach the county of Bibb from the fifth and attach it to the fourth judicial circuit and to detach Covington county from the second and attach it to the twelfth judicial circuit and to fix the time for holding the circuit-courts in said counties.

#### SIGNING BILLS.

The speaker of the house in the presence of the house--immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set out in the foregoing senate message.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the house amendment to the senate bill,

s. 224. To amend sections 3, 5, 6, 7, 10, 11, 12, 15, 17, 18, 24, 27, 35, 37, 38, 42, 52, 53, 54, 55, 57, 59, 60, 61, 62, 65, 66, 71, 73, 77, 78, 79, 81, 83, 84, 85, and 96, and to repeal section 82 of an act to establish a new charter for the city of Montgomery, approved February 21st, 1893.



In accordance with a joint resolution heretofore concurred in, the president of the senate has erased his signature from the house bill No. 789, and the same is herewith transmitted to the house to enable you to so erase your signature therefrom;

And the senate has originated and passed the following bill:

s. 457. To appropriate money to reimburse certain insurance companies for amounts illegally paid by them into the state treasury under an act approved February 18, 1893, entitled an act to require all corporations to pay a fee or license, for the use of the state, before commencing business in this state;

And in accordance with a joint resolution heretofore concurred in, the president of the senate has erased his signature from the house bills Nos. 60 and 264, and the same are herewith transmitted to the house to enable you to so erase your signature from the said bills;

And the senate has concurred in the house joint resolution requesting the speaker of the house and the president of the senate to erase their signatures from the senate bill No. 173;

And the senate has originated and passed the following bills :

s. 219. To regulate the sales of goods, wares, merchandise and other personal property, advertised as bankrupt, insolvent, insurance, assignee, trustee, testator, executor, administrator, receiver, auction, syndicate, railroads or other wreck, wholesalesale or manufacturers, or closing out sale, goods damaged by smoke, fire, water or otherwise, and to provide for a license fee for such sales from such vendors.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees as follows :

To appropriations, s. 457.

To judiciary, s. 219;

And in accordance with joint resolutions heretofore

adopted the speaker erased his signature from H. 789, 264 and 60, and s. 173.

And the house recessed till 7:30 o'clock to-night.

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NIGHT SESSION.

H. 1082. To amend section two (2) of an act entitled an act to establish a charter for the town of Albertville, in Marshall county, Alabama, approved February 18, 1891,

Was read a third time at length and passed—yeas 50, nays 1.

Yeas :

Messrs. Speaker, Beasley, Brooks, Brown of Conecuh, Brown of Russell, Cameron, Camp, Cole, Coleman, Cook of Talladega, Deans, Ellis, Fleming, Fletcher, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Graves, Jackson, Jinks, Kelly, Kennedy, Knight, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mahan, Mixon, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Taylor, Ward, Wheelless, Williams of Bullock, Williams of Henry --50.

Nay:

Mr. John—1.

s. 333. To authorize the city of Mobile to build or otherwise acquire a system of water works and operate the same,

Was amended and read a third time at length and lost—yeas 18, nays 41.

Yeas :

Messrs. Speaker, Brooks, Burns, Camp, Fleming, Fletcher, Graham, Jinks, Kennedy, Maples, Mastin, Meadows, Montgomery, Roach, Sanford, Scarborough, Summers, Turner—18.

Nays:

Messrs. Banks, Beasley, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Davis, Deans, Ellis, Fleming, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graves,

Hearn, John, Kelly, Langley, Lipscomb, Mahan, Mills, Mixon, Patton, Rand, Reaves, Robbing, Robinson, Rogers, Rowe, Smith of Autauga, Smith of Greene, Smith of Mobile, Whitten, Williams of Bullock, Williams of Henry, Wood—41.

H. 605. To authorize the Montgomery Shooting Club to borrow money and to execute a mortgage on their property to secure the payment thereof, or any other debt contracted by it,

Was read a third time, at length, and passed—yeas 53, nays 1.

Yeas :

Messrs. Speaker, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Cole, Coleman, Davis, Deans, Fleming, Fletcher, Fuller, Gains, Gibbons, Graham, Graves, Hearn, Jackson, Jinks, John, Kelly, Kennedy, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Montgomery, O'Brien, Patton, Reaves, Roach, Robbins, Robinson, Rogers, Sanford, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Wheelless, Whitten, Williams of Bullock, Williams of Henry, Wood—53.

Nays :

Mr. Franklin—1.

H. 1199. To pay for articles purchased for the use of the senate and house of representatives and for repairing the senate chamber and hall of the house of representatives, and for repairing and furnishing the rooms of the engrossing and enrolling clerk of the house of representatives,

Was amended, and as amended, was read a third time, at length, and passed—yeas 53, nays 0.

Yeas :

Messrs. Speaker, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Dale, Deans, Ellis, Fleming, Fletcher, Fulton, Gains, Gewin, Gibbons, Graham, Graves, Hearn, Hill, Jackson, Jinks, John, Kennedy, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Mixon, Montgomery, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Greene, Summers, Ward, Whitten, Williams of Bullock, Williams of Henry, Wood—53.

H 893. To regulate the holding of lands in the state of Alabama by aliens or by any firm, company or corporation, a majority of whose property or stock is held and bona fide owned by an alien or aliens,

Was read a third time, at length, and failed to pass—a quorum not voting.

Yeas 15, nays 34.

Yeas :

Messrs. Brown of Conecuh, Camp, Cole, Deans, Ellis, Graves, Hearn, Hill, Jackson, Langley, Mastin, Mills, Roach, Smith of Autauga, Wood—15.

Nays :

Messrs. Speaker, Banks, Brown of Russell, Calhoun, Cameron, Davis, Fleming, Fletcher, Franklin, Fulton, Gains, Gewin, Jinks, John, Kelly, Kennedy, Kyle, Lipscomb, Mayfield, Mahan, Mixon, Montgomery, O'Brien, Perry, Reaves, Roach, Robbins, Robinson, Rogers, Scarborough, Smith of Greene, Summers, Turner, Whitten, Williams of Bullock, Williams of Henry—34.

H. 783. To amend an act entitled an act for the preservation of game animals and birds in the counties of Tuscaloosa and Calhoun, approved February 27, 1889, which was amended so as to apply to Tuscaloosa county, Crenshaw county, Lee county and Calhoun county, approved February 18th, 1891, so far as the same relates to Lee county,

Was read a third time, at length, and passed—yeas 53, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Brown of Conecuh, Brown of Russell, Cameron, Camp, Cole, Davis, Deans, Fielding, Fleming, Fletcher, Franklin, Fulton, Gains, Gewin, Gibbons, Graves, Hearn, Hill, Jackson, Jinks, Kelly, Kennedy, Knight, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Mahan, Mills, Mixon, Montgomery, O'Brien, Patton, Reaves, Roach, Robbins, Robinson, Rowe, Sanford, Scarborough, Smith of Autauga, Smith of Greene, Smith, of Mobile, Summers, Whitten, Williams of Bullock, Williams of Henry, Wood—53.

H. 1024. To amend an act approved February 2, 1893, to authorize the mayor and council of the town of Union Springs to issue bonds of said town for an amount not exceeding thirty thousand dollars, for the purpose of

erecting and maintaining a system of water works and a system of electric lights, one or both in said town,

Was read a third time, at length, and passed—yeas 35, nays 19.

Yeas:

Messrs. Speaker, Brown of Russell, Calhoun, Camp, Davis, Fleming, Fletcher, Fulton, Gewin, Graves, Jinks, Kelly, Kennedy, Knight, Lipscomb, Maples, Mayfield, Meador, Mixon, Montgomery, O'Brien, Patton, Roach, Robinson, Rogers, Rowe, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Turner, Whitten, Williams of Bullock, Williams of Henry, Wood—35.

Nays:

Messrs. Banks, Beeson, Brown of Conecuh, Cameron, Cole, Ellis, Franklin, Fuller, Gains, Hearn, Hill, Jackson, John, Langley, Mastin, Mahan, Mills, Ott, Reaves, Savage—19.

H. 786. To establish the Hamilton school district in Marion county,

Was read a third time at length and passed—yeas 56, nays 0.

Yeas :

Messrs. Speaker, Banks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Cole, Dale, Davis, Deans, Ellis, Fletcher, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graves, Hearn, Hill, Jackson, Jinks, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Mahan, Mills, Mixon, Montgomery, O'Brien, Rabb, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Whitten, Williams of Bullock, Williams of Henry, Wood—56.

H. 395. To amend section 708 of the code of Alabama,

Was amended, read a third time at length and passed—yeas 45, nays 6.

Yeas :

Messrs. Speaker, Banks, Beeson, Brown of Russell, Burns, Calhoun, Cameron, Camp, Davis, Ellis, Fleming, Fletcher, Franklin, Fulton, Gains, Gewin, Graves, Jackson, John, Kennedy, Langley, Lipscomb, Maples, Mayfield, Mahan, Mills, Mixon, Montgomery, O'Brien,

Prowell, Reaves, Roach, Robinson, Rogers, Rowe, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Turner, Williams of Bullock, Williams of Henry, Wood—to.

Nays:

Messrs. Brown of Conecuh, Deans, Fuller, Jinks, Kelly, Sanford—6.

And the house adjourned till 10 o'clock to-morrow morning.

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#### FORTY-SEVENTH DAY.

#### HOUSE OF REPRESENTATIVES,

February 13, 1895.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Ott of the house.

A quorum was present.

#### LEAVE OF ABSENCE

Was granted Messrs. Moore, Fielding and Killebrew for one day.

#### REVISION OF JOURNAL.

The committee on the revision of the journal reported; the journal of yesterday correct.

#### INTRODUCTION OF BILLS.

On a call of the counties bills were introduced severally read one time and referred to appropriate committees, as follows:

By Mr. Rowe—

H. 1226. To repeal an act to provide for the appointment of a solicitor for each of the counties of Madison, Jackson and DeKalb, and to prescribe his powers and duties, approved February 17, 1885, in so far as the same relates to the county of Madison,

Judiciary.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker,

The committee on enrolled bills report the following-bills correctly enrolled :

H. 243. To regulate and prescribe the manner of electing county commissioners of Perry county ;

H . 370. To amend sections 2, 3 and 4 of an act entitled an act to regulate the apportionment of the school fund in this state by the superintendent of education, approved February 10, 1891, so far as relates to the counties of Clarke, Washington, Dallas, Talladega, Jefferson, Choctaw, Montgomery, Calhoun and Cleburne;

H. 379. To amend section one of an act to establish and define the corporate limits of the city of Gadsden, approved February the 18th, 1891;

H. 576. To levy a tax, state and county, on all peddlers of road carts, sewing machines, cooking stoves, watches, clocks, bed quilts, cloaks, and balmorals in the counties of Wilcox, Hale, Dallas, Macon, Calhoun, Chambers, Marengo, Sumter, Choctaw, Lowndes, Talladega, Barbour, Elmore, Coosa, Tallapoosa, Clarke and Madison;

H. 740. To provide for the payment of certain claims of the sheriff of Talladega county against the state ;

H. 848. To prohibit the manufacture of vinous, spirituous or malt liquors or other intoxicating beverages within one mile of the M. E. Church at the village of Elmore, in Elmore county, and to prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors or other intoxicating beverages within four miles of said church.

J. H. MONTGOMERY,  
Chairman.

## SIGNING BILLS.

The speaker of the house in the presence of the house immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set out in the foregoing report of the committee on enrolled bills.

## BILLS ON SECOND READING.

The chairmen of the several committees reported favorably on the following bills :

H. 1217. To authorize the filing and recording of certain deeds of conveyance therein named in the office of the judge of probate of the various counties of this state;

H. 1218. To repeal an act entitled an act to provide for the listing of lands by the tax assessors, approved February 28, 1889, in so far as the same relates to Jefferson county, Alabama;

s. 171. To regulate the ginning of cotton at public or private gins for pay;

s. 216. To regulate the trial of misdemeanors in the county of Marshall;

s. 219. To regulate the sale of goods, wares, merchandise, and other personal property advertised as bankrupt, insolvent, insurance, assignee, trustee, testator, executor, administrator, receiver, auction, syndicate, railroad, or other wreck, wholesale or manufacturers, or closing out sale, or goods damaged by smoke, fire, water or otherwise, and to provide for a license fee for such sale from such vendors,

(With amendment) ;

s. 254. To amend section 750 of the code, so far as the same applies to the counties of Covington, Crenshaw, Butler, Conecuh and Escambia ;

s. 256. To amend section 2083 of the code of Alabama ;

s. 252. To amend section 3739 of the code ;

s. 282. To amend section 3403 of the code ;

s. 296. To exempt the chief operators of relay telegraph offices in this state from jury duty;

s. 313. To relieve M. D. Still, of Elmore county, of the disabilities of non-age ;

s. 341. To more permanently establish the line between the counties of Blount and Walker ;

s. 352. To incorporate the town of Newton, in the county of Dale ;

s. 367. To incorporate the Madison Loan and Trust Company,

s. 402. To authorize the city council of Montgomery



to issue bonds for the purpose of paving or otherwise improving the streets and sidewalks, or either of the city of Montgomery ;

s. 416. To incorporate the Southern Mutual Fire Insurance Company of Alabama;

s. 425. To ratify and confirm the charter of the Standard Building and Loan Association of Montgomery, Alabama, the Mutual Benefit Building and Loan Association of Montgomery, and the Home Building and Loan Association of Montgomery, corporations under the general laws of the state, and to authorize them to issue what is known as "paid up stock," and to lend money on the stock of their members;

s. 427. To provide compensation for witnesses in impeachment cases;

s. 429. To fix the time for holding circuit court in the counties of Clay and Cleburne ;

s. 430. To fix the right of the city of Mobile to certain real estate;

s. 431. For the relief of T. J. Middlebrooks of Lowndes county;

s. 434. To fix the time and to define the terms for holding the circuit courts in the several counties of the tenth judicial circuit;

s. 435. To provide for the holding of the circuit courts in the second judicial circuit;

s. 440. To amend an act entitled an act to incorporate the town of Moulton, in Lawrence county, Alabama, approved February 14th, 1891;

s. 442. To amend an act entitled an act to amend an act to incorporate the district of Opelika, and provide for the government thereof, approved February 19, 1883, approved February 16, 1885 ;

s. 444. To authorize and empower the city council of Sheffield to close up and sell or otherwise dispose of any of the streets or alleys in the city of Sheffield after having obtained the written consent of all the abutting owners;

s. 445. To authorize the mayor and aldermen of the city of Huntsville to issue certain negotiable bonds ;

s. 452. To authorize the auditor to execute a deed to Amos F. Hoffer to the east  $\frac{1}{2}$  of northeast quarter of section 16, township 24, range 22, in Tallapoosa county,

Alabama, conveying the title of the state in said lands to said Amos F. Hoffer;

s. 453. For the relief of M. F. Beck, of Lee county, Alabama;

s. 454. To amend and confirm the charter of the State Abstract Company of Montgomery county, Alabama, a corporation under the laws of said state and to authorize a reduction of its capital stock;

s. 462. To provide for the assessment and collection of taxes due after January 1st, 1895, on all property situated heretofore in the counties of Lawrence and Colbert, but made parts of Colbert and Franklin counties by an act entitled an act to change the boundary lines of the counties of Colbert, Franklin and Lawrence, approved February 6, 1895;

s. 468. To authorize and regulate the sale of real and personal property for city taxes in the city of Fort Payne, DeKalb county, Alabama, and for the redemption of lands sold for city taxes ;

s. 470. To amend sections 3 and 4 of an act entitled an act to establish a new city charter for Eufaula, approved February 28, 1870;

s. 472. To establish a charter for the city of Columbiana, in Shelby county, Alabama;

s. 474. To authorize the city of Eufaula to issue bonds for funding its present bonded debt;

s. 475. To permit the tax collector of Lawrence county to continue to reside in that part of said county which was attached to the county of Colbert by an act passed at the present session of the general assembly changing the boundary lines between the counties of Franklin, Colbert and Lawrence, to provide for the exercise of jurisdiction and authority by precinct officers in the territory transferred by said act, and to provide for the determination of pending suits and judicial proceedings arising in said territory;

s. 477. To fix the time of holding the circuit courts in the counties composing the first judicial circuit,

(With amendment) ;

s. 478. To repeal an act entitled an act to provide for the listing of lands by tax assessors, approved February 28, in so far as the same relate to Jefferson and Lowndes counties, Alabama;

H. 1213. To permit the tax collector of Lawrence county to continue to reside in that part of said county which was attached to the county of Colbert by an act passed at the present session of the general assembly changing the boundary lines between the counties of Franklin, Colbert and Lawrence, to provide for the exercise of jurisdiction and authority by precinct officers in the territory transferred by said act, and to provide for the determination of pending suits and judicial proceedings arising in said territory ;

H. 1221. To amend section four of an act entitled an act for the preservation of game animals and birds in the county of Walker;

H. 1048. To authorize the several counties in this state to issue bonds for the purpose of building court houses, jails and bridges, for repairing improving or furnishing the same and for refunding any outstanding indebtedness of the several counties ;

s. 424. To regulate the payment and fix the rate of fees to be received by state witnesses attending court in criminal proceedings so far as the same relates to the county of Barbour ;

s. 471. To establish a board of revenue for Barbour county;

s. 459. To amend section five, to repeal section thirty-five and section thirty-six, and to add section forty-nine to an act entitled an act to further regulate elections in the state of Alabama,

Approved February 21, 1893;

s. 274. To provide for and regulate contests of elections for governor, secretary of state, state auditor, state treasurer and attorney general;

s. 191. To regulate the holding of the circuit court for Randolph county, (with amendment) ;

s. 446. To authorize the probate judge and county commissioners of Randolph county to lay off Beat No. 3 and Beat No. 6, and all that part of township eighteen, range ten (10) that lies west of big Tallapoosa river, into stock law districts, and to authorize elections thereon to prohibit stock from running at large in said districts ;

H. 1200. To refund to J. P. Camp of Cherokee county or his legal representatives one hundred and seventy-

four, 40-100 dollars, the sum which he paid to the state of Alabama with interest for certain lands to which the state had no title ;

H. 1034. To require the county treasurer of DeKalb county to pay James McLendon of Etowah county for services done as county commissioner ;

H. 1224. For the relief of the estate of L. J. Hand, deceased,

H. 1057. To provide for additional clerical force in the office of the state superintendent of education.

The above and foregoing bills, were severally read a second time, and placed on the calendar.

By leave of the house—

H. 608. To amend an act entitled an act to establish a new charter for the city of Sheffield in the county of Colbert, state of Alabama, approved December 12th, 1892,

Was called up and was read a third time, at length, and passed—yeas 55, nays 2.

Yeas :

Messrs. Speaker, Beasley, Beeson, Boykin, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cole, Dale, Davis, Fletcher, Ford, Forman, Franklin, Fulton, Gewin, Gibbons, Graves, Harris, Holt, John, Kelly, Kennedy, Killebrew, Maples, Meadows, Mills, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Ott, Perry Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Rowton, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Turner, Ward, Williams of Bullock, Williams of Henry—55.

Nays :

Coleman and Fuller.

The bill was ordered to the senate without engrossment ;

H. 1205. To make appropriations for the salaries of the chancellor of the northern chancery division and the judges and solicitors of the 12th and 13th circuits,

Was read a third time at length, and passed—yeas 47, nays.8.

Yeas:

Messrs. Speaker, Banks, Barren, Beeson, Boykin, Calhoun, Cameron, Camp, Curtis, Dale, Fleming, Ford, Fulton, Gewin, Gibbons, Graham, Grant, John, Kelly,

Kennedy, Lipscomb, Maples, Mayfield, Meadows, Mahan, Mixon, McCorvey, McQueen, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Rowe, Sanford, Savage, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Mobile, Tuck, Williams of Bullock, Williams of Henry—47.

Nays :

Messrs. Burks, Forman, Franklin, Fuller, Harris, Hearn, Langley, and Wheelless—8.

H. 1211. To fix the time of holding the chancery courts in the northwestern chancery division and regulate proceedings- therein,

Was read a third time, at length, and passed—yeas 54, nays 4.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Ellis, Ewing, Fielding, Fletcher, Forman, Fulton, Gewin, Gibbons, Graham, Grant, Hearn, Jackson, John, Kelly, Kennedy, Knight, Lipscomb, Maples, Meadows, Mahan, Mixon, Montgomery, Moore, McCorvey, Ott, Patton, Perry, Rabb, Rand, Roach, Robinson, Rogers, Rowe, Seale, Smith of Autauga, Smith of Mobile, Summers, Tuck, Ward, Williams of Bullock, Williams of Henry, Wood—54.

Nays :

Messrs; Coleman, Franklin, Fuller and Wheelless—4.

H. 754. To confer chancery powers and jurisdiction upon the circuit court in the several counties of the 7th judicial circuit of Alabama, to regulate the practice and procedure in said courts and in the supreme court of Alabama on appeal from said courts, and to fix the time and place of holding said courts,

The following amendment was adopted :

Amend title so as to read, "a bill to be entitled an act to regulate the practice and procedure in the several courts of the sixth and seventh judicial circuits of Alabama, and in the supreme court of Alabama on appeal from said courts."

Other amendments were adopted, and the bill,

Was read a third time at length and passed—yeas 52, nays 2.

Yeas:

Messrs. Speaker, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Fletcher, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Jackson, John, Kelly, Kennedy, Langley, Maples, Meador, Meadows, Mahan, Mills, Mixon, Moore, McCorvey, Patton, Prowell, Rand, Reaves, Roach, Robinson, Rogers, Rowe, Sanford, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Ward, Wheelless, Williams of Bullock, Williams of Henry—52.

Nays :

Messrs. Coleman and Fuller—2.

#### RECONSIDERATION.

Mr. Robinson's motion to reconsider the vote by which H. 756. To amend the revenue laws of the State of Alabama,

Was lost on yesterday, was taken up, and by leave of the house Mr. Robinson withdrew his motion to table the motion to reconsider.

The motion to reconsider prevailed, and on motion of Mr. Clark the further consideration of the bill was postponed till 12 o'clock and the bill was referred to a committee of six—three favoring and three opposing the bill.

The committee appointed was Messrs. Fletcher, Meador, Robinson, O'Brien, Boykin and Mayfield.

The committee reported a substitute for the bill with the same title, and the substitute was adopted.

Yeas 53, nays 26.

Yeas:

Messrs. Speaker, Barren, Boykin, Brooks, Brown of Russell, Calhoun, Cameron, Camp, Cook of Wilcox, Dale, Fleming, Fletcher, Fulton, Gewin, Gibbons, Graham, Grant, Graves, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Maples, Mayfield, Meador, Mahan, Montgomery, McClusky, McCorvey, McQueen, Ott, Patton, Perry, Prowell, Rand, Roach, Robinson, Rogers, Rowe, Sanford, Scarborough, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Whitten, Williams of Bullock, Williams of Henry—53.

Nays:

Messrs. Banks, Beasley, Beeson, Bellinger, Burks, Coleman, Cook of Talladega, Deans, Ellis, Forman, Franklin, Fuller, Gains, Harris, Hearn, Hill, Jackson, Langley, Manning, Mastin, Meadows, Mills, Reaves, Bobbins, Savage, Smith of Butler, Wheelless—26.

On motion of Mr. John, the previous question was ordered and the bill was read a third time at length, and passed.—yeas 53, nays 28.

Yeas:

Messrs. Speaker, Barren, Boykin, Brooks, Brown of Russell, Calhoun, Cameron, Camp, Cook of Wilcox, Bale, Davis, Fleming, Fletcher, Fulton, Gewin, Gibboas, Graham, Grant, Graves, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Maples, Mayfield, Meador, Mahan, Montgomery, McClusky, McCorvey, McQueen, Ott, Perry, Prowell, Rand, Roach, Robinson, Rogers, Rowe, Sanford, Scarborough, -Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Whitten, Williams of Bullock, Williams of Henry—53.

Nays:

Messrs. Banks, Beasley, Beeson, Bellinger, Brown of Conecuh, Burks, Coleman, Cook of Talladega, Deans, Ellis, Ford, Forman, Franklin, Fuller, Gains, Harris, Hearn, Jackson, Langley, Manning, Mastin, Meadows, Mills, Reaves, Robbins, Savage, Smith of Butler, Wheelless—28.

#### SPECIAL ORDER.

s. 154. To regulate the management of state and county convicts was taken up.

The committee offered the following amendment:

Amend section one, by striking out the word "two" in line five and inserting in lieu thereof the word "six," and by adding to the end of said section the following:

Provided, that of those first appointed, one shall hold office for two years, one for four years, and one for six years, to be designated by the governor."

Mr. John offered the following as a substitute for section 1:

SECTION 1. Be it enacted by the General Assembly of

Alabama, That there shall be appointed by the governor, three managers of convicts, one of whom shall be a physician, who, together with the governor shall constitute the board of managers, and shall have general supervision and control of the state and county convicts ; the term of office of the managers shall be for two years, and until their successors are qualified.

Mr. Kelly moved to table Mr. John's amendment, and the yeas and nays being demanded, the motion prevailed.

Yeas 34, nays 30.

Yeas :

Messrs. Speaker, Brooks, Brown of Russell, Calhoun, Camp, Coleman, Cook of Wilcox, Curtis, Fleming, Franklin, Fuller, Gibbons, Graves, Harris, Hill, Jackson, Kelly, Kennedy, Knight, Manning, Mastin, Meadows, McCorvey, Reaves, Rogers, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Taylor, Ward, Wheelless, Whitten, Williams of Henry—34.

Nays:

Messrs. Banks, Barren, Beasley, Cameron, Cook of Talladega, Davis, Deans, Ellis, Forman, Fulton, Gains, Hearn, John, Killebrew, Langley, Maples, Mahan, Mills, Montgomery, McClusky, McQueen, Patton, Perry, Prowell, Rand, Roach, Rowe, Savage, Tuck, Williams of Bullock—30.

Mr. Kelly offered the following as a substitute for section 1:

That there shall be appointed by the governor two inspectors of convicts, one of whom shall be a physician, who with the president of the board of inspectors, shall constitute a board of inspectors of convicts and shall have general supervision and control of the state and county convicts, the inspectors first appointed shall hold office for four and six years respectively, and until their successors are appointed and qualified; provided, that the governor shall be ex-officio a member of said board, with power to vote.

Mr. Tuck moved to table Mr. Kelly's substitute.

Lost.

Yeas 29, nays 34.

Yeas :

Messrs. Banks, Barren, Beeson, Brown of Russell, Cal-



houn, Cameron, Cook of Talladega, Ellis, Fielding, Fleming, Fulton, Gibbons, Graves, John, Kennedy, Lipscomb, Maples, Mahan, Mills, Ott, Patton, Perry, Kand, Tuck, Ward, Whitten, Williams of Henry.—29.

Nays:

Messrs. Speaker, Bellinger, Brown of Conecuh, Burks, Camp, Coleman, Curtis, Dale, Davis, Deans, Forman, Franklin, Fuller, Gains, Graham, Grant, Hill, Jackson, Kelly, Knight, Langley, Manning, Mastin, Montgomery, McClusky, McCorvey, McQueen, Prowell, Rogers, Smith of Greene, Summers, Taylor, Turner—34.

Mr. John called for the yeas and nays on the adoption of Mr. Kelly's substitute, and the substitute was lost.

Yeas 16, nays 43.

Yeas:

Messrs. Bellinger, Coleman, Cook of Wilcox, Forman, Franklin, Graham, Harris, Jackson, Kelly, Kyle, Manning, Mastin, McCorvey, Prowell, Rogers, Smith of Butler, Taylor, Turner—16.

Nays :

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Brown of Russell, Calhoun, Cameron, Camp, Cook of Talladega, Curtis, Deans, Ellis, Fleming, Fuller, Fulton, Gibbons, Graham, Grant, Graves, John, Kennedy, Langley, Lipscomb, Maples, Mahan, Montgomery, McClusky, Ott, Patton, Perry, Rand, Roach, Rowe, Scarborough, Scale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Willett, Williams of Bullock—43.

And the first amendment offered by the committee; was adopted.

The committee offered the following amendment:

Amend section twenty-six by striking out in line five the following : "The salary of the two clerks of the board of inspectors shall be twelve hundred dollars each per annum," and insert instead thereof the following: " The salary of the chief clerk of the board of inspectors shall be fifteen hundred dollars per annum, and of the other clerk shall be twelve hundred dollars per annum."

Mr. John offered the following amendment to the amendment:

Amend by striking out the following words at con-  
60 h

clusion: "And of the other clerks shall be twelve hundred dollars per annum."

The amendment was adopted and the amendment as amended was adopted.

Mr. Knight moved to reconsider the vote by which Mr. John's amendment was adopted.

On motion of Mr. Cameron, Mr. Knight's motion was tabled.

Yeas 41, nays 21.

Yeas :

Messrs. Banks, Barron, Beasley, Beeson, Bellinger, Brown of Russell, Burks, Cameron, Ellis, Fleming, Franklin, Fulton, Gains, Gibbons, Grant, Graves, Harris, Jackson, John, Kennedy, Kyle, Langley, Maples, Mastin, Meadows, Mahan, Mixon, Montgomery, McClusky, Ott, Patton, Perry, Reaves, Robbins, Savage, Smith of Greene, Summers, Tuck, Turner, Wheelless, Williams of Bullock—41.

Nays:

Messrs. Speaker, Brooks, Calhoun, Camp, Cook of Wilcox, Dale, Ellis, Fuller, Hearn, Knight, Lipscomb, McCorvey, McQueen, Prowell, Rand, Rogers, Sanford, Scarborough, Screws, Smith of Autauga, Smith of Mobile, Ward, Whitten--21.

The following amendment was adopted :

Amend section fifty-four by striking out the words "in their discretion may" and by adding the word "shall."

On motion the previous question was ordered on the third reading and passage of the bill.

The clerk proceeded to read the bill and pending the third reading of the bill its further consideration was on motion suspended for the transaction of other business.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

In accordance with a joint resolution heretofore concurred in the president of the senate has erased his signature from the senate bill No. 173.

And in accordance with a joint resolution heretofore concurred in the president of the senate has erased his signature from the house bill No. 264.

And the senate has amended as therein shown, and as amended has passed the house bill,

H. 264. To incorporate the intendant and trustees of Hatchet Creek camp ground, and preserve order at said camp ground;

And has originated and passed,

s. 473. To regulate the fine and forfeiture fund of Bullock county and the disposal of moneys arising from fines, forfeitures and convict labor in said county.

W. L. CLAY,

Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees as follows:

Local legislation, s. 473.

The speaker erased his signature from

s. 173. To amend an act entitled an act to incorporate the city of Columbia in the county of Henry, approved February 21, 1893.

Mr. Williams moved to reconsider the vote by which the bill was passed and ordered to a third reading.

Carried.

Mr. Williams offered an amendment which was adopted,

And the bill

Was read a third time at length and passed—yeas 64, nays 0.

Yeas:

Messrs. Banks, Barren, Beasley, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Fielding, Fleming, Fletcher, Forman, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Harris, Hearn, Jinks, John, Kelly, Kennedy, Knight, Kyle, Langlely, Maples, Mastin, Meadows, Mills, Mixon, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Prowell, Heaves, Roach, Rowe, Routon, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Taylor, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry—64.

The house concurred in the senate amendments to H.264. To incorporate the intendant and trustees of Hatchet Creek camp ground and preserve order of said Camp ground.

Yeas 56, nays 0.

Yeas:

Messrs. Speaker, Barren, Beeson, Bellinger, Brooks, Brown of Russell, Burks, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Deans, Fielding, Fleming, Forman, Franklin, Fulton, Gewin, Grant, Hearn, Jackson, John, Kelly, Knight, Langley, Manning, Mastin, Mayfield, Meador, Mahan, Mixon, Montgomery, Moore, McClusky, Ott, Perry, Prowell, Reaves, Roach, Robinson, Rogers, Routon, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Taylor, Tuck, Turner, Wheelless, Whitten, Williams of Bullock, Williams of Henry—56.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has originated and passed the following bills :

s. 476. To amend an act entitled an act to amend section 499 of the code of Alabama, approved February 18, 1887;

s. 486. To incorporate the Chicago, Florence and Gulf Railway Company, and to further the construction of the same;

s. 355. To appropriate a certain portion of the two and three per cent fund to be paid into the treasury after February 18, 1895.

s. 469. To amend section two of an act to prevent stock from running at large in certain parts of Marengo county,

And has passed the following house bills :

H . 740. To provide for the payment of certain claims of the sheriff of Talladega county against the state;

H. 379. To amend section one of an act to establish and define the corporate limits of the city of Gadsden, approved February 18th, 1891;

H. 848. To prohibit the manufacture of vinous,

spirituous or malt liquors or other intoxicating beverages within one mile of the M. E. church at the village of Elmore, in Elmore county, and to prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors or other intoxicating beverages within four miles of said church ;

H. 1059. To amend an act entitled an act to incorporate the Phoenix City Railway Company, define its rights, privileges, powers and franchises, approved December 19th, 1894;

And has amended as therein shown, and as amended, has passed the house bill

H. 71. To amend section 3763 of the criminal code of 1886.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The senate bills just received whose titles are set forth in the above and foregoing message were severally read once and referred to the committees as follows :

Corporation, s. 476,486;

Appropriations, s. 355 ;

Local legislation, s. 469 ;

The house concurred in the senate amendments to

H. 71. To amend section 3763 of the criminal code of 1886.

Yeas 56, nays 0.

Yeas:

Messrs. Speaker, Barren, Beeson, Brooks, Brown of Russell, Burks, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Curtis, Dale, Deans, Fielding, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Harris, Hearn, Jackson, Jinks, John, Kelly, Killebrew, Lipscomb, Mahan, Mills, Montgomery, Moore, McCorvey, O'Brien, Ott, Prowell, Roach, Robbins, Robinson, Rowe, Sanford, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Ward, Williams of Bullock, Williams of Henry—56.

At 1 o'clock the house took a recess till 3p.m.

## AFTERNOON SESSION.

The house was called to order at 3 p. m.

The speaker presented a petition from the board of directors of the Baptist State Convention, asking for the passage of an act prohibiting the sale of liquor in Marion, where the Judson Institute is located.

The communication was referred to the committee on local legislation.

On motion of Mr. John, house 526, 919 and senate bills 459 and 274 were made continuing special orders after the report of standing committees to-morrow.

By unanimous consent Mr. Barren called up s. 170. To prevent stock from running at large in certain parts of Perry county viz: Uniontown and Walthalls precincts.

The amendment offered by the committee was adopted, and the bill was read a third time at length and passed—yeas, 56, nays 0.

Yeas :

Messrs. Speaker, Ranks, Barren, Beeson, Bellinger, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Fielding, Fleming, Fletcher, Forman, Franklin, Fulton, Gains, Gibbons, Harris, Jackson, Jinks, John, Knight, Lipscomb, Maples, Mastin, Mahan, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Perry, Prowell, Rand, Robinson, Rowe, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Taylor, Tuck, Turner, Wheelless, Whitten, Williams of Bullock—56.

H. 155. To secure to wage earners employed in the business of mining, manufacturing, transportation or merchandise, or hotels or other industries a priority over other creditors in case of insolvency,

Was read a third time at length and passed—yeas 60, nays 1.

Yeas:

Messrs. Banks, Barren, Beeson, Brooks, Brown of Conecuh, Brown of Russell, Burks, Cameron, Camp, Cook of Wilcox, Ellis, Fleming, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Grant, Graves, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb,

Maples, Mastin, May field, Meadows, Mahan, Montgomery, McCorvey, McQueen, O'Brien, Ott, Perry, Prowell, Rand, Reaves, Roach, Robbing, Robinson, Rogers, Rowe, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Taylor, Tuck, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—60.

Nay: Mr. Speaker.

The bill was ordered to the senate without engrossment.

On motion of Mr. Ott,

H. 349. To amend an act entitled an act to amend sub-division 31 of section 629 of the code of Alabama, approved February 16th, 1894,

Was taken up, and. was read a third time at length, and passed—yeas 58, nays 0.

Yeas :

Messrs. Speaker, Banks, Barren, Beeson, Brooks, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Dale, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Graves, Harris, Hearn, Jackson, Kelly, Kennedy, Killebrew, Kyle, Langley, Manning, Mastin, Meadows, Mahan, Mills, McClusky, McCorvey, McQueen, Ott, Perry, Prowell, Rand, Roach, Robbins, Rogers, Sanford, Savage, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Williams of Bullock—58

The bill was ordered to the senate without engrossment.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

The committee on enrolled bills report the following bills correctly enrolled :

H. 626. To create the northern chancery division and provide for the appointment of a chancellor thereof and fix the times of holding chancery court therein.

H. 1059. To amend an act entitled an act to incorporate the Phenix City Railway company, define its rights, privileges, powers and franchises, approved December 19th, 1894.

J. H. MONTGOMERY,  
Chairman.

## SIGNING BILLS.

The speaker of the house in the presence of the house immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set out in the foregoing report of the committee on enrolled bills ;

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the house joint resolution raising a joint committee composed of three from each house to set a day for final adjournment of the general assembly ;

And has amended as therein shown, and, as amended, has passed the house bill

H. 789. To amend section 1206 of the code of Alabama ;

And has originated and passed the following bills :

s. 408. To more particularly define the duties of sheriffs, jailors and other officers having prisoners in charge to protect them from mob violence ;

s. 466. To authorize the mayor and council of Heflin, Alabama, to prescribe the manner of publishing the ordinances of said town, to fix the compensations for publishing them, and to regulate the license on pool and billiard tables and mercantile business ;

s. 449. To amend section 3258 of the code of Alabama ;

s. 486. To change the name of the Sheffield and Tusculumbia Street Railway company, to Sheffield and Tusculumbia Railway company, and to increase its powers.

W. L. CLAY,  
Secretary.

## SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message were severally read once and referred to the committees as follows :

Judiciary, s. 408, 449.

Corporations, s. 466, 485.

The house concurred in the senate amendments to



H. 789. To amend section 1206 of the code of Alabama.

Yeas 57, nays 0.

Yeas

Messrs Speaker, Barren, Beeson, Bellinger, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cook of Talladega, Curtis, Dale, Deans, Ewing, Fleming, Fletcher, Forman, Fulton, Gibbons, Grant, Graves, Harris, Hill, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Martin, Meador, Meadows, Mixon, Moore, McClusky, McQueen, Ott, Prowell, Reaves, Roach, Robinson, Rogers, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Wheelless, Whitten, Williams of Bullock, Williams of Henry—57.

Mr. Cameron gave notice that at the night session he would call up s. 344, Mr. Mayfield that he would call up H. 1135, and Mr. Sanford that he would call up s. 117.

The house then took a recess till 7 :30 o'clock to-night.

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#### NIGHT SESSION.

H. 790. To relieve Louise A. Westcott, of Montgomery county, of the disabilities of non-age ;

Was read a third time at length and passed—yeas 56, nays 0.

Yeas:

Messrs. Speaker, Barron, Beesley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Dale Davis, Deans, Ellis, Fleming, Fletcher, Franklin, Fuller, Fulton, Gains, Gibbons, Graves, Kelly, Kennedy, Knight, Kyle, Langley, Maples, Mayfield, Meador, Meadows, Mahan, Mixon, McClusky, McQueen, Ott, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Turner, Whitten, Williams of Bullock, Williams of Henry—56.

s. 103. To create a lien in favor of the owners of public ginneries;

Was read a third time, at length, and passed—yeas 57 nays 0.

Yeas:

Messrs, Speaker, Barron, Beeson, Bellinger, Boykin, Brown of Conecuh, Burns, Calhoun, Comeron, Camp, Coleman, Cook of Wilcox, Dale, Davis, Deans, Fielding, Fleming, Fletcher, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Graves, Kelly, Kennedy, Kyle, Langley, Maples, Mayfield, Meador, Meadows, Mahan, Mixon, Montgomery, McClusky, McQueen, Ott, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greens, Smith of Mobile, Summers, Tuck, Turner, Ward, Whitten, Williams of Bullock, Williams of Henry—57.

H. 223. To incorporate the Coosa Iron and Railroad Company,

Was read a third time at length and passed—yeas 60, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Ellis, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Hearn, Kelly, Kennedy, Knight, Kyle, Langley, Manning, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Montgomery, McClusky, McGorvey, McQueen, Ott, Rand, Reaves, Roach, Robbins, Robinson, Routon, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Ward, Whitten—60.

H. 1153. To confirm the incorporation of the Birmingham Dental College and to enlarge the powers of said college,

Was read a third time at length and passed—yeas 53, nays 1.

Messrs. Speaker, Barren, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Coleman, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Ford, Forman, Fulton, Gains, Gewin, Gibbons, Graves, Harris, Jackson, Kelly, Kennedy, Kyle, Langley, Maples, Mastin, Mayfield, Meador, Montgomery, McClusky, McCorvey, McQueen, Ott, Rand, Roach, Robbins, Rogers, Routon, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene,

Smith of Mobile, Summers, Whitten, Williams of Bullock, Williams of Henry—53.

Nay:

Mr. Knight.

H. 964. To amend section 2 of an act which was approved December 11, 1886, entitled an act to amend section 2 of an act approved December 30th, 1868, entitled an act to amend the caption and first and the third sections of the act entitled an act to incorporate the Pioneer Petroleum Company, approved February 8, 1866,

Was read a third time at length and passed—yeas 55, nays 0.

Yeas:

Messrs. Speaker, Banks, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Coleman, Cook of Talladega, Curtis, Dale, Davis, Deans, Fletcher, Fulton, Gains, Gewin, Graham, Graves, Harris, Jinks, Kelly, Kennedy, Kyle, Langley, Maples, Mastin, Mayfield, Mahan, Mixon, Montgomery, McClusky, McCorvey, McQueen, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Whitten, Williams of Bullock, Williams of Henry—55.

H. 965. To incorporate the State Land Trust Company,

Was read a third time at length and passed—yeas 53, nays 2.

Yeas:

Messrs. Speaker, Banks, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Cole, Cook of Wilcox, Dale, Davis, Fleming, Fletcher, Franklin, Fulton, Gains, Gewin, Gibbons, Graham, Graves, Kelly, Kennedy, Kyle, Langley, Maples, Mayfield, Meador, Meadows, Mixon, McClusky, McQueen, Prowell, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Turner, Ward, Whitten, Williams of Bullock, Williams of Henry—53.

Nays :

Messrs. Knight and Mahan—2.

H. 1143. To confer additional powers upon the Bir-

mingham trust and savings company body corporate, incorporated under the general laws of the state of Alabama,

Was amended, read a third time at length, and passed—yeas 50, nays 3.

Yeas;

Messrs. Speaker, Beeson, Bellinger, Brown of Russell, Burns, Calhoun, Cameron, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fleming, Ford, Fulton, Gains, Gibbons, Graham, Hearn, Kelly, Killebrew, Kyie, Langley, Maples, Mastin, Mayfield, Meadows, Mixon, Montgomery, McClusky, McQueen, Ott, Rand, Robbins, Robinson, Rogers, Rowe, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—50.

Nays:

Coleman, Gewin and Mills.

H. 982. To repeal an act to regulate and prescribe the manner of electing county commissioners of Pike, Bullock, Washington, Baldwin, Butler, Choctaw, Fayette, Shelby, DeKalb and Pickens counties so far as the same relates to Shelby county,

Was read a third time at length and passed—yeas 55, nays 3.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Fleming, Fletcher, Ford, Forman, Gains, Gewin, Gibbons, Graham, Kennedy, Knight, Kyle, Langley, Maples, Mastin, Mayfield, Meador, Meadows, Mills, Mixon, Montgomery, McQueen, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Turner, Wheelless, Whitten, Williams of Bullock—55.

Nays :

Fulton, Mahan and Williams of Henry.

s. 342. To authorize the mayor and city council of Troy, Alabama to issue bonds of said city for an amount not exceeding twenty thousand dollars for the purpose

of purchasing land and erecting and equipping school buildings thereon, and for the improvement of the electric light plant and water works system of the city of Troy, Alabama,

Was read a third time at length and passed —yeas 54, nays, 0.

Yeas :

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brown of Russell, Burns, Calhoun, Cook of Wilcox, Dale, Davis, Deans, Fielding, Fleming, Ford, Franklin, Fuller, Fulton, Gibbons, Graves, Harris, Jackson, Kelly, Kennedy, Knight, Kyle, Langley, Maples, Mastin, Mayfield, Meadows, Mahan, Mixon, Montgomery, McClusky, McCorvey, Perry, Reaves, Roach, Robbins, Robinson, Rogers, Sanford, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Wheelless, Whitten, Williams of Bullock, Williams of Henry—54.

H. 947. To authorize and empower the mayor and councilmen of the city of Tuscaloosa, to issue and sell the bonds of said city, in an amount not exceeding twenty thousand dollars, the proceeds thereof to be used for the purpose of paying off and satisfying the interest or interest coupons now due or to become due on the present outstanding bonds of said city and for the purpose of paying the outstanding floating debt of said city,

Was read a third time, at length, and passed—yeas 58, nays 1.

Yeas:

Messrs. Speaker, Banks, Beasley, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Fielding, Fletcher, Ford, Forman, Franklin, Fulton, Gains, Gibbons, Graves, Harris, Hearn, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Mixon, Montgomery, McClusky, McQueen, Ott, Perry, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Turner, Wheelless, Williams of Bullock, Williams of Henry—58.

Nay :

Mr. Cameron.

H. 1107. To amend an act entitled an act to prevent stock from running at large in Cherokee county, to authorize elections thereon, and to provide for building and maintaining fence and gates, approved February 16th, 1891,

Was read a third time at length, and passed—yeas 61, nays 1.

Yeas:

Messrs. Speaker, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graves, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mills, Mison, Montgomery, McQueen, Ott, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Turner, Whitten, Williams of Bullock, Williams of Henry—61.

Nay:

Mr. Mahan.

H. 761. To incorporate the Ozark cotton mill company;

Was read a third time, at length, and passed,—yeas 57, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fleming Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Graves, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, McClusky, McCorvey, McQueen, Ott, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Turner, Wheeless, Whitten, Williams of Bullock, Williams of Henry—57.

s. 393. To regulate the fine and forfeiture fund and the hard labor fund of Dallas county;

Was amended, read a third time, at length, and passed—yeas 57, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graves, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Meadows, Mahan, Mixon, McQueen, Ott, Reaves, Roach, Robbins, Robinson, Sanford, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Turner, Wheelless, Whitten, Williams of Bullock, Williams of Henry—57.

H. 951. To increase the number of aldermen in the town of New Decatur, in the county of Morgan, to eight; and to authorize the corporate authorities to fix, within prescribed limits, the future terms of office of the aldermen of said town ;

Was read a third time, at length, and passed—yeas 60, nays 0,

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Gains, Gewin, Gibbons, Graves, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McCorvey, McQueen, Reaves, Roach, Robbins, Robinson, Rowe, Routon, Sanlord, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Turner, Whitteu, Williams of Bullock—60.

H. 936. To create a separate school district of Daviston in beat 17, township 24, range 24, in Tallapoosa county, Alabama;

Was read a third time, at length, and passed—yeas 65, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Ford, Forman, Franklin,

Fuller, Gains, Graham, Graves, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mills, Mixon, McClusky, McCorvey, McQueen, Ott, Rand, Reaves, Roach, Robbing, Robinson, Rowe, Routon, Sanford, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Wheelless, Williams of Bullock, Williams of Henry—65.

H. 382. For the relief of needy confederate soldiers or their surviving widows who may have, through neglect or ignorance, failed to comply with the provisions of section (II) of an act, approved February 13th, 1891,

Was read a third time, at length, and passed—yeas 62, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graves, Kelly, Kennedy Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mills, Mixon, Montgomery, McClusky, McQueen, Ott, Perry, Rabb, Reaves, Roach, Robbins, Robinson, Rowe, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Turner, Wheelless, Williams of Bullock—62.

H. 890. To define the powers and duties of the board of police commissioners of Birmingham, Alabama, and to regulate the police department of said city, and provide for the appointment of such commissioners,

Was read a third time, at length, and passed—yeas 65, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graves, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mills, Mixon, McGorvey, McQueen, O'Brien, Patton, Perry, Prowell, Rand, Roach, Robbins,



Robinson, Rowe, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Turner, Wheelless, Whitten, Williams of Bullock—65.

s. 344. To define the authority of physicians in the sale of or dispensing of medicines and drugs,  
Was read a third time at length and passed—yeas 51, nays 7.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Fielding, Fleming, Forman, Fuller, Gains, Gewin, Knight, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mills, Mixon, McQueen, Roach, Bobbins, Robinson, Rogers, Rowe, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock—51.

Nays:

Messrs. Coleman, Fletcher, Graves, Kennedy, Kyle, McClusky, and Rand—7.

H. 115. To regulate the manufacture and sale of spirituous, vinous, and malt liquors in the city of Bridgeport,

Was read a third time, at length, and Mr. Dale moved to table the bill.

Carried.

Yeas 39, nays 15.

Yeas:

Messrs. Banks, Beasley, Beeson, Boykin, Brown of Russell, Burns, Calhoun, Camp, Cook of Wilcox, Dale, Ellis, Fletcher, Forman, Fuller, Fulton, Gains, Graves, John, Kennedy, Langley, Mayfield, Meadows, Mahan, Mixon, McClusky, McQueen, Ott, Rand, Reaves, Roach, Robbins, Rowe, Scarborough, Smith of Butler, Smith of Greene, Summers, Turner, Ward, Williams of Bullock, Williams of Henry—39.

Nays:

Messrs. Speaker, Cameron, Coleman, Deans, Gewin, Kelly, Kyle, Maples, Mastin, McClusky, Robinson, Smith of Mobile, Taylor, Whitten—15

61 h

H. 1086. To amend section thirteen (13) of an act entitled an act to authorize the mayor and aldermen of the city of Girard to establish a system of public schools in said city, approved February 18, 1891,

Was read a third time at length and passed—yeas 59, nays 0.

Yeas :

Messrs. Speaker, Barren, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Graves, Harris, Hearn, Jackson, John, Kennedy, Knight, Kyle, Langley, Manning, Maples, Mayfield, Meador, Mahan, Montgomery, McClusky, O'Brien, Perry, Rand, Roach, Robinson, Rogers, Sanford, Scarborough, Smith of Autauga, Smith of Greene, Smith, of Mobile, Taylor, Turner, Wheelless, Whitten, Williams of Bullock—59.

s. 436. To incorporate the "Southern Lumber Fire Association," of Birmingham, Alabama, and to define its rights and powers and franchises,

Was read a third time at length and passed—yeas 58, nays 0.

Yeas:

Messrs. Speaker, Barren, Bellinger, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Ellis, Fielding, Fletcher, Forman, Franklin, Fulton, Gewin, Graham, Grant, Harris, Hill, Jackson, John, Kennedy, Killebrew, Knight, Kyle, Langley, Manning, Mastin, Meador, Mahan, Mison, Moore, McCorvey, McQueen, Ott, Perry, Prowell, Reaves, Robbins, Rogers, Routon, Sanford, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Mobile, Taylor, Turner, Wheelless, Willett, Williams of Bullock, Williams of Henry—58.

s. 422. To authorize the court of county commissioners of Tuskaloosa county to issue and sell bonds of said county to an amount not exceeding twenty thousand dollars for the purpose of placing a draw in the bridge across the Warrior river at Tuskaloosa, Alabama, thus converting said bridge into a draw bridge, of strength-

ening and improving said bridge throughout its entire length and of erecting and maintaining other bridges in said county,

Was read a third time, at length, and passed—yeas 60, nays 1.

Yeas.:

Messrs. Speaker, Banks, Beasley, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Grant, Harris, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mahan, Moore, McClusky, McQueen, Ott, Patton, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Whitten, Williams of Bullock— 60.

Nay:

Mr. Cameron.

H. 1174. To amend and confirm the charter of the State Abstract Company of Montgomery county, Ala., a corporation under the laws of said state, and to authorize a reduction of its capital stock,

Was read a third time, at length, and passed—yeas 61, nays 0.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Curtis, Dale, Davis, Ellis, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graves, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mixon, McClusky, McQueen, Ott, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Sanford, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Whitten, Williams of Bullock—61.

H. 537. To change a portion of the boundary line between the counties of Washington and Mobile,

Was amended, read a third time, at length, and passed—yeas 64, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Boykin, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graves, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Moore, McCorvey, McQueen, Ott, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Sanford, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Turner, Whitten, Williams of Bullock, Williams of Henry—64.

s. 356. To prohibit fishing, netting, seining or otherwise catching fish from the stream known as Kellet creek where the same passes through Beat No. 2, section 10, Tallapoosa county,

Was read a third time, at length, and passed—yeas 56, nays 2.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Cook of Talladega, Cook of Wilcox, Dale, Deans, Fleming, Ford, Forman, Franklin, Fuller, Fulton, Graham, Graves, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, McClusky, McGorvey, McQueen, Ott, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Williams of Bullock—56.

Nays :

Brown of Russell and Davis;

H. 346. To prevent building on the inclosed lands of another without the written consent of the owner or his agent or party in possession in that portion of Colbert county, north of townships four and five,

Was read a third time, at length, and passed—yeas 59, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burns,

Calhoun, Cameron, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fleming, Ford, Forman, Franklin, Fuller, Fulton, Graham, Grant, Graves, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, McClusky, McQueen, Ott, Reaves, Roach, Robbins, Robinson, Rowe, Sanford, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Turner, Whitten, Williams of Bullock, Williams of Henry—59.

H. 1097. To create the office of auditor of Jefferson county, and to provide for the selection of the auditor and to prescribe his powers and duties,

Was read a third time at length and passed—yeas 62, nays 2.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Cole, Cook of Talladega, Curtis, Dale, Davis, Deans, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Graves, Jackson, John, Kelly, Kennedy, Knight, Kyle, Langley, Maples, Mastin, Mayfield, Meadows, Mahan, Mills, Mixon, McCorvey, McQueen, O'Brien, Rand, Reaves, Rand, Robbins, Robinson, Rowe, Routon Sanford, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Turner, Whitten, Williams of Bullock, Williams of Henry—62.

Nays:

Messrs. Lipscomb and Ott—2

H. 588. To amend certain sections of the town of Oxford, and to give said town of Oxford power to issue bonds,

Was amended, read a third time at length and passed yeas 56, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graves, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mix-

on, Montgomery, Moore, McClusky, McQueen, Ott, Reaves, Roach, Robbins, Robinson, Rowe, Routon, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Taylor, Turner—56.

H. 1215. To provide for the levy and collection of an annual tax of two-tenths of one per cent. on every one hundred dollars worth of taxable property in the town of Avondale, Alabama, or lawfully taxable in said town, for the purpose of supporting and maintaining a system of free public schools in said town so far as practicable,

Was read a third time at length, and passed—yeas 54, nays 3.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Brown of Russell, Calhoun, Cameron, Cook of Wilcox, Dale, Davis, Deans, Fleming, Fletcher, Ford-Forman, Franklin, Fulton, Gewin, Graves, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mixon, Montgomery, Moore, McClusky, McQueen, Rand, Reaves, Roach, Robbing, Robinson, Rogers, Rowe, Sanford, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Turner, Whitten, Williams of Bullock, Williams of Henry—54.

Nays:

Messrs. Boykin, Ellis and Ott—3.

H. 552. To prohibit the sale, giving away or otherwise disposing of any spirituous, vinous or malt liquors, intoxicating drinks or beverages or fruits preserved in alcoholic liquors within three miles of Bethel Baptist church, Pleasant Hill Christian church, Leesdale Christian church, Forrest Chapel Methodist church, Gandy's Cove Methodist church, Mount Tabor Methodist church, Lebanon Baptist church, Lacon Presbyterian church, Fairview Presbyterian church, Cooper's school house, Crow's school house, and Collins school house, in Morgan county, Alabama.

Mr. Kyle offered an amendment, which was lost.

The amendment suggested by the committee was adopted,

And the bill,

Was read a third time at length and passed—yeas 46, nays, 6.

Yeas:

Messrs. Speaker; Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Cook of Wilcox, Dale, Davis, Ellis, Fleming, Fletcher, Forman, Fulton, Gains Graves, John, Kelly, Langley, Lipscomb, Mastin, Meador, Meadows, Mahan, Mixon, Montgomery, McClusky, McQueen, Ott, Rand, Reaves, Roach, Robbins, Rogers, Rowe, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Turner, Williams of Bullock, Williams of Henry—46.

Nays:

Messrs. Kennedy, Kyle, Maples, Mayfield, Robinson, Sanford—6.

s. 117. For the relief of the several sheriff's of the State of Alabama, who collected fees from the state for releasing prisoners under the provisions of an act entitled an act to provide for the payment of costs on conviction of felony where, the defendant is sentenced to imprisonment in the penitentiary, approved February 25, 1889,

Was read a third time, at length, and passed—yeas 51, nays 1.

Yeas:

Messrs. Speaker, Banks, Beeson, Bellinger, Boykin, Brown of Conecuh, Burks, Cook of Wilcox, Dale, Davis, Deans, Fleming, Fletcher, Forman, Fulton, Gains, Gewin, Graves, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, McClusky, McQueen, Ott, Rand, Reaves, Roach, Robbing, Robinson, Rogers, Rowe, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Whitten, Williams of Bullock, Williams of Henry—51.

Nay: Mr. Brown of Russell.

H. 1030. To authorize the intendant and councilmen of the town of Prattville to issue bonds,

Was amended, read a third time, at length, and passed yeas 57, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Coleman, Cook of Wilcox, Dale, Davis,

Deans, Fleming, Fletcher, Ford, Forman, Fulton, Gains, Gewin, Grant, Graves, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, McClusky, McCorvey, McQueen, Ott, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Williams of Bullock, Williams of Henry—57.

H. 215. To authorize Mrs. Josephine S. Mizell, widow of H. H. Mizell, deceased, to sell the dwelling house lately belonging to said deceased, located in Haw Ridge, Coffee county, Alabama,

Was read a third time at length and passed—yeas 57, nays 0.

Yeas :

Messrs. Speaker, Banks, Beasley, Beeson, Boykin, Brown of Russell, Burks, Burns, Calhoun, Coleman, Cook of Wilcox, Dale, Davis, Deans, Fleming, Fletcher, Ford, Forman, Fulton, Gewin, Graves, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, McClusky, McCorvey, McQueen, Ott, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Whitten, Williams of Bullock, Williams of Henry—57.

H. 862. To incorporate the Fidelity Loan and Trust Company,

Was read a third time at length and passed—yeas 52, nays 6.

Yeas :

Messrs. Beeson, Burns, Cook of Wilcox, Dale, Davis, Deans, Ellis, Fleming, Fletcher, Forman, Fulton, Gewin, Gibbous, John, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Rogers, Rowe, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Whitten, Williams of Bullock, Williams of Henry—52.



Nays:

Messrs. Speaker, Beasley, Boykin, Brown of Russell, Graves and Robinson—6.

H. 1225. To amend an act entitled an act for the better suppression of gambling, approved February 26th, 1889, so as to allow pool selling within a place known as the fair grounds, in Jefferson county, Alabama,

Was read a third time, at length, and passed—yeas 53, nays 2.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Burns, Cole, Cook of Talladega, Deans, Ellis, Ewing, Fielding, Fletcher, Ford, Franklin, Gains, Gewin, Graham, Hill, Jackson, Kelly, Killebrew, Knight, Kyle, Mastin, Mayfield, Meadows, Mills, Mixon, Moore, McClusky, McCorvey, McQueen, Perry, Prowell, Reaves, Robbins, Robinson, Routon, Sanford, Savage, Screws, Seale, Smith of Butler, Smith of Mobile, Summers, Taylor, Tuck, Whitten, Williams of Bullock, Williams of Henry—53.

Nays:

Messrs. Hearn and Kennedy—2.

H. 1171. To authorize the county treasurer of Lamar county to register against the fine and forfeiture fund of said county a claim of L. S. Metcalfe, ex-sheriff, for fees due him for services in county court of said county,

Was read a third time, at length, and passed—yeas 57, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Fielding, Fletcher, Fulton, Gewin, Graves, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langle, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, McClusky, McCorvey, McQueen, Ott, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Whitten, Williams of Bullock, Williams of Henry—57.

H. 682. To authorize the board of mayor and aldermen of the town of Dothan to issue and negotiate bonds

of said town to an amount exceeding twenty thousand collars for the establishing and maintaining water works, fire department,, improving the streets of said town and for paying off the indebtedness of the town,

Was read a third time, at length, and passed—yeas 57, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Fletcher, Fulton, Gewin, Graves, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, McClusky, McQueen, O'Brien, Ott, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Whitten, Williams of Bullock, Williams of Henry—57.

H. 1071. To amend section three (3) of an act entitled an act to prevent horses, mules, asses, cows, hogs, sheep, or goats from running uncontrolled on crops in beat No. 5, beat No. 10, and in all that part of beat No. 7 described as follows, and included within the following boundary lines, to-wit: Beginning at the boundary line between Butler and Lowndes counties near the residence of Mrs. Anna Bush, and running south and taking the farms of Mrs. Anna Bush and James Barganier ; thence running east taking in the farms of John Cheatham, Daniel Talley, J. T. Sanders, Henry Harrison, W. H. Zeigler, and William Glover, and intersecting the stock law lines of beat No. 5 near William Glover's, the said described territory being all of said beat No. 7 north of said described line in the county of Butler, and to prescribe a rule of damages and rules of protection in the trial of cases under this act, and to provide for fencing around said beats No. 5, 10 and fractional part of beat No. 7 in said county of Butler, approved February, 5th, 1891,

Was read a third time, at length, and passed—yeas-54,nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Boykin,

Brown of Conecuh, Brown of Russell, Burks, Burns, Coleman, Cook of Wilcox, Dale, Davis, Deans, Fleming, Fletcher, Forman, Fulton, Gewin, Graves, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, McClusky, McQueen, Ott, Rand, Reaves, Roach, Robbins, Rogers, Robinson, Rowe, Sanford Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Turner, Whitten, Williams of Bullock, Williams of Henry—54.

And the house adjourned till 10 o'clock to-morrow morning.

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FORTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,

February 14, 1895.

The house met pursuant to adjournment.  
Prayer by the Rev. Mr. Clements, of Limestone.  
A quorum was present.

LEAVE OF ABSENCE

Was granted Messrs. Rowe, Moore, and Fuller for one day.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bill your signature is requested thereto :

S. J. R. Providing for enclosing, warming and furnishing comfortable seats or benches in the rotunda of the capitol.

W. L. CLAY,  
Secretary.

SIGNING BILLS.

The speaker of the house, in the presence of the house,

immediately after its title had been publicly read by the clerk, signed the bill, whose title is set out in the foregoing senate message.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate insists on its amendment to the bill,  
H. 873. To consolidate and adjust the bonded debt of the State of Alabama,

And accedes to the request of the house for a committee of conference thereon.

Committee on part of the senate, Messrs. Milner, Samford and Nolen.

And has amended as therein shown, and, as amended, has passed the

H. 1058. To establish a branch agricultural experiment station and agricultural school at Hamilton, in Marion county, Alabama;

And has passed the house bills,

H. 326. To amend section 1 of an act entitled an act to empower the governor of Alabama to reconvey to the United States a certain tract of land upon conditions described in this act, approved February 28, 1889.

W. L. CLAY,  
Secretary.

SENATE MESSAGE.

The house concurred in the senate amendments to  
H. 1058. To establish a branch agricultural experiment station and agricultural school at Hamilton, in Marion county, Alabama;

Yeas 53, nays 19.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Fielding, Fletcher, Forman, Fulton, Gains, Gewin, Grant, Jackson, John, Kennedy, Knight, Kyle, Manning, Maples, Mastin, Meadows, McClusky, McCorvey, Perry, Prowell, Rand, Robinson, Rogers, Routon, Sanford, Seale, Smith of

Autauga, Smith of Greene, Smith, of Mobile, Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—53.

Nays:

Messrs. Burks, Cameron, Cole, Fleming, Franklin, Gibbons, Graves, Hearn, Hill, Langley, Mayfield, Meadows, Mahan, Mills, Mixon, Rabb, Reaves, Roach, Robbins—19.

Mr. Davis moved to reconsider the vote by which the house concurred in the senate amendments and then moved to table that motion.

The latter motion prevailed

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

The committee on enrolled bills report the following bills correctly enrolled :

H. 71. To amend section 3763 of the criminal code of 1886;

H. 264. To incorporate the intendant and trustees of Hatchett Creek camp ground, and preserve order at said camp ground;

H. 326. To amend section one of an act entitled an act to empower the governor of Alabama to reconvey to the United States, a certain tract of land upon conditions discribed in this act, approved February 28th, 1889 ;

H. 456. To prevent stock from running at large in beat eighteen in Elmore county, west of the Coosa river, and beat eight south, southeast and southwest of Wetumpka, also, that part of Beat 4 south of the Montgomery and Tallasee dirt road to Mitchells creek, thence up the Buck bridge and Wetumpka road to Lewis Jackson's house, thence due northwest to where it enters into beat eight;

H. 789. To amend section 1206 of the code of Alabama.

J. H. MONTGOMERY,  
Chairman.

#### SIGNING BILLS.

The speaker of the house in the presence of the house,

immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set out in: the foregoing report of committee on enrolled bills.

#### BILLS ON THIRD READING.

H. 825. To amend an act to establish the city court of Gasden, approved December 17th, 1894, by amending section 3 of said amending act,

Was read a third time, at length, and passed—yeas 57, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Wilcox, Curtis, Dale, Davis, Deans, Fielding, Fletcher, Ford, Forman, Franklin, Gewin, Gibbons, Graves, Jackson, John, Kelly, Kennedy, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Ott, Prowell, Reaves, Roach, Robbing, Robinson, Rogers, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Ward, Whitten, Williams of Henry—57.

H. 912. To establish a separate school district in Coosa county in this state,

Was read a third time at length and passed—yeas 58, nays 0.

Yeas;

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Wilcox, Curds, Dale, Davis, Deans, Fleming, Fletcher, Ford, Forman, Franklin, Gewin, Gibbons, Graves, Jackson, John, Kelly, Kennedy, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Ott, Prowell, Reaves, Roach, Robbins, Robinson, Rogers, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Ward, Whitten, Williams of Henry—58.

H. 1224. For the relief of the estate of L. J. Hand, deceased,

Was read a third time, at length, and passed—yeas 60, nays 0.

Yeas:

Messrs. Speaker, Barren, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Cole, Cook of Wilcox, Curtis, Dale, Davis, Ewing, Fleming, Fletcher, Ford, Forman, Fulton, Gains, Gewin, Gibbons, Graves, Jackson, John, Kelly, Kennedy, Manning, Maples, Mayfield, Meador, Mahan, Montgomery, Moore, Ott, Patton, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Taylor, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—60.

H. 914. To, exempt practicing dentists from jury duty in all the counties of this state,

Was read a third time at length and passed—yeas 41, nays 29.

Yeas:

Messrs. Speaker, Barron, Beasley, Beeson, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cook of Wilcox, Dale, Fulton, Gains, Gewin, Gibbons, Graham, John, Kennedy, Kyle, Lipscomb, Mastin, Meador, Mixon, Montgomery, Ott, Perry, Prowell, Rand, Roach, Robbins, Robinson, Rogers, Routon, Scarborough, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Williams of Bullock—41.

Nays:

Messrs. Banks, Bellinger, Boykin, Burns, Cameron, Cole, Ellis, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Graves, Harris, Hearn, Kelly, Langley, Maples, Mayfield, Mahan, Patton, Reaves, Smith of Autauga, Smith of Mobile, Summers, Whitten, Williams of Henry—29.

H. 742. To divest title in certain lands lying in Calhoun county, Alabama, out of the state, and to vest title in the same to Mary A. Nance,

Was read a third time at length and passed—yeas 56, nays 1:

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Camp, Cole, Coleman, Cook of Wilcox, Dale, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Fulton, Gains, Gewin, Gib-

bons, Graves, Harris, Hearn, Hill, Jackson, Kelly, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Meadows, Mahan, O'Brien, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Routon, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Ward, Whitten, Wood—56.

Nay:

Mr. Taylor—1.

H. 1057. To provide for additional clerical force in the office of the state superintendent of education,  
Was read a third time at length and passed—yeas 46, nays 18.

Yeas:

Messrs. Speaker, Barren, Beeson, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cook of Wilcox, Curtis, Dale, Deans, Fielding, Fleming, Fletcher, Forman, Fulton, Gewin, Gibbons, Graham, Grant, Kennedy, Knight, Langley, Maples, Mayfield, Meador, Montgomery, McClusky, Ott, Patton, Perry, Prowell, Rand, Robinson, Rogers, Sanford, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Whitten, Williams of Bullock—46.

Nays:

Messrs. Banks, Burns, Cameron, Cole, Ellis, Franklin, Gains, Graves, Harris, Hearn, Jackson, Mastin, Meadows, Mills, Mixon, Reaves, Williams of Henry—18.

#### UNFINISHED BUSINESS.

s. 154. To regulate the management of state and county convicts,

Was taken up and the bill

Was read a third time at length, and passed—yeas 51, nays 27.

Yeas:

Messrs. Speaker, Barren, Beeson, Boykin, Brooks, Brown of Russell, Calhoun, Cameron, Camp, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Fletcher, Gewin, Gibbons, Graham, Grant, Graves, Hill, Kelly, Kennedy, Knight, Maples, Mayfield, Meador, Mahan, McClusky, McCorvey, Ott, Patton, Perry, Prowell, Rand, Roach, Robinson, Rogers, Sanford, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile,



Tuck, Turner, Ward, Whitten, Williams of Bullock, Williams of Henry—51.

Nays:

Messrs. Banks, Beeson, Brown of Conecuh, Burks, Deans, Ellis, Fielding, Forman, Franklin, Fulton, Gains, Hearn, Jackson, John, Kyle, Langley, Lipscomb, Manning, Mastin, Meadows, Mills, Montgomery, McQueen, Rabb, Reaves, Routon, Wheelless—27.

Mr. Hill moved to reconsider the vote by which the bill was passed and then moved to table that motion.

The latter motion prevailed.

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#### AFTERNOON SESSION.

The house re-assembled at 3 o'clock p.m.

#### BILLS ON SECOND READING.

The chairmen of the several committees, reported favorably the following bills :

H. 1161. To establish a state weather service for Alabama,

Without recommendation;

s. 355. To appropriate a certain portion of the two and three per cent fund to be paid into the treasury after February 18th, 1895;

s. 408. To more particularly define the duties of sheriffs, jailors, and other officers having prisoners in charge, to protect them from mob violence;

s. 449. To amend section 3258 of the code of Alabama;

s. 457. To appropriate money to re-imburse certain insurance companies for amounts illegally paid by them into the state treasury, under an act approved February 18, 1893, entitled an act to require all corporations to pay a fee or license, for the use of the state, before commencing business in this state ;

s. 466. To authorize the mayor and council of Heflin, Ala., to prescribe the manner of publishing the ordinances of said town, to fix the compensation for pub-

lishing them and to regulate the license on pool and billiard tables and mercantile business ;

s. 476. To amend an act entitled an act to amend section 499 of the code of Alabama, approved Feb. 18th, 1887;

s. 485. To change the name of the Sheffield and Tusculumbia Street Railway Company to Sheffield and Tusculumbia Railway Company and to increase its powers ;

s. 486. To incorporate the Chicago, Florence and Gulf Railway Company and to further the construction of the same;

s. 473. To regulate the fine and forfeiture fund of Butler county and the disposal of moneys arising from fines, forfeitures and convict labor in said county ;

s. 469. To amend section two of an act to prevent stock from running at large in certain parts-of Marengo county;

s. 438. For the relief of L. L. Jamison.

The above and foregoing bills were severally read a second time and placed on the calendar;

s. 307. To fix the pay and salaries of certain state officers,

Was reported adversely by the judiciary committee, with a minority report by Mr. John, and on motion of Mr. John, the bill was read a second time and placed on the calendar of the house.

Yeas 53, nays, 22.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Burks, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Fielding, Fletcher, Ford, Forman; Franklin, Fulton, Gains, Gewin, Graves, Hearn, John, Kyle, Langley, Lipscomb, Maples, Mastin, Meadows, Mills, Mixon, Ott, Perry, Rand, Reaves, Robbins, Savage, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Tuck, Ward, Wheelless, Williams of Henry—53.

Nays:

Messrs. Boykin, Brooks, Calhoun, Fielding, Fleming, Fleteher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Hill, Knight, Manning, Mayfield, Meador, McCorvey, McQueen, Prowell, Robinson,

Rogers, Routon, Sanford, Smith of Mobile, Taylor, Turner, Whitten, Williams of Bullock—22.

#### BILLS ON THIRD BEADING.

H. 1001. To amend section 6 of an act entitled an act to provide for the working and maintaining the public roads and bridges in Jefferson county, Alabama, approved December 17th, 1894,

Was read a third time, at length, and passed—yeas 52, nays 0.

Yeas :

Messrs. Speaker, Banks, Beasley, Brooks, Brown of Conecuh, Brown of Russell, Cameron, Dale, Ellis, Fielding, Fleming, Fletcher, Forman, Fulton, Gains, Gibbons, Graham, Grant, Harris, John, Kennedy, Langley, Lipscomb, Maples, Mayfield, Meadows, Mahan, Montgomery, Ott, Perry, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowton, Sanford, Savage, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry—52.

H. 935. To prohibit the throwing or placing timber, stone, brush, sawdust or other obstruction in Big Canon creek in St. Clair county or any of its tributaries.

The amendment was adopted and the bill was read a third time, at length, and passed—yeas 55, nays 0.

Yeas :

Messrs. Speaker, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Cameron, Cook of Wilcox, Davis, Ellis, Fielding, Fleming, Fletcher, Forman, Gains, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hill, Jackson, John, Kelly, Kennedy, Knight, Langley, Maples, Mayfield, Meadows, Mahan, Mixon, Montgomery, Ott, Perry, Prowell, Rand, Reaves, Robbins, Robinson, Rogers, Sanford, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Tuck, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—55.

H. 309. To amend section 4191 of the code of Alabama,

Was amended, read a third time at length and lost—yeas 19, nays 51,

Yeas :

Messrs. Speaker, Banks, Beasley, Beeson, Burns, Cameron, Camp, Fielding, Graham, Hill, Jackson, Kyle, Lipscomb, Maples, Mayfield, Montgomery, McQueen, Robinson, Sanford, Screws, Whitten—19.

Nays:

Messrs. Barron, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Cole, Coleman, Cook of Wilcox, Dale, Davis, Ellis, Fleming, Fletcher, Forman, Franklin, Fulton, Gains, Gibbons, Grant, Graves, Harris, Hearn, John, Kennedy, Knight, Langley, Manning, Meadows, Mahan, Mixon, Ott, Perry, Prowell, Rand, Reaves, Robbins, Routon, Savage; Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Williams of Bullock—51.

1178. For the relief of White, Woodruff and Fowler for record books and stationery furnished for the supreme court of Alabama,

Was read a third time, at length, and passed—yeas. 56, nays 0.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Cole, Coleman, Cook of Wilcox, Dale, Deans, Ellis, Fielding, Fleming, Fletcher, Franklin, Fulton, Gibbons, Graham, Grant, Graves, Hearn, Jackson, John, Kennedy, Knight, Kyle, Langley, Maples, Mayfield, Meadows, Mahan, Mixon, Montgomery, McQueen, Perry, Prowell, Reaves, Roach, Robbins, Robinson, Rogers, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Mobile, Turner, Ward, Whitten, Williams of Bullock—56.

H. 263. To regulate the election of county commissioners for Clay county,

Was read a third time, at length, and passed—yeas, 64, nays 0.

Yeas:

Messrs. Banks, Barron, Beasley, Beeson, Bellinger, Boykin, Brown of Russell, Burns, Calhoun, Cameron, Cole, Coleman, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Fielding, Fletcher, Forman, Franklin, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Har-

ris, Jackson, Jinks, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Manning, Maples, Mayfield, Meador, Meadows, Mahan, McClusky, McQueen, Perry, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Turner, Ward, Whitten, Williams of Bullock—64.

H. 671. To make the fees of bonded constables in the counties of Covington and Washington the same as sheriff's fees where they perform the same or similar services,

Was read a third time, at length, and passed—yeas 51, nays 0.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Cole, Coleman, Cook of Wilcox, Dale, Davis, Deans, Ellis, Fielding, Fletcher, Ford, Forman, Fulton, Gewin, Gibbons, Graves, Harris, Hearn, Kennedy, Kyle, Langley, Maples, Mayfield, Meadows, Mahan, McQueen, Patton, Perry, Prowell, Rand, Rogers, Sanford, Savage, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Turner, Ward, Whitten, Williams of Bullock—51.

H. 681. For the relief of W. A. McClendon, sheriff of Henry county,

Was read a third time, at length, and passed—yeas 50, nays 2.

Yeas:

Messrs. Barron, Beasley, Boykin, Brown of Conecuh, Calhoun, Cameron, Camp, Coleman, Cook of Wilcox, Dale, Davis, Fielding, Fleming, Forman, Franklin, Fulton, Gibbons, Graham, Grant, Graves, Jackson, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mayfield, Mixon, McQueen, Prowell, Rand, Reaves, Robbins, Robinson, Rogers, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock—50.

Nays:

Messrs. Ellis and John—2.

H. 709. To provide for the appointment of four inspectors of the public roads in Lowndes county, and to define the duties and powers of such inspectors,

Was read a third time at length and passed—yeas 55 , nays 0.

Yeas :

Messrs. Speaker, Banks, Barren, Boykin, Brown of Conecuh, Brown of Russell, Burns, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Fielding, Fletcher, Ford, Franklin, Fulton, Gewin, Graham, Grant, Graves, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, McQueen, Ott, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Wheelless, Ward, Whitten, Williams of Bullock—55.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has originated and passed the following; bills, and ordered the same to be sent to the house without engrossment:

s. 371. To amend sections nine (9) and ten (10) of an act entitled an act to establish and provide for the maintenance of a quartantine by improved methods, against the introduction of yellow fever and other infectious and contagious diseases in the State of Alabama, approved February 16th, 1891;

s. 490. To define train robbing and fix a punishment therefor.

Under the joint resolution heretofore concurred in, raising a joint committee to set a day for final adjournment of the general assembly,

The president of the senate has appointed as the committee on the part of the senate,

Messrs. Browder, Porter and Day,

And has amended as therein shown, and as amended, has passed the house bill

H. 85. To authorize the chancellor, judge or register to require the complainant to give bond before a receiver is appointed,

And has passed the following bills :

H. 1020. To regulate defences to actions on policies of life insurance;

H. 96. To amend section 3588 of the cod ;

H. 745. For the relief of M. E. Curtis as sheriff of Wilcox county, Alabama,

And has concurred in the house amendment to the senate bill:

s. 173. To amend an act entitled an act to incorporate the city of Columbia in Henry county, approved February 21st, 1893;

s. 170. To prevent stock from running at large in certain parts of Perry county, viz : Uniontown and Wal-thalls precincts,

And the senate non-concurs in the house amendment to the senate bill,

s. 393. To regulate the fine and forfeiture fund and hard labor fund of Dallas county,

And has amended as therein shown, and, as amended, has passed the following house bill:

H. 725. To amend sections two (2), fifteen (15) and sixteen (16) of an act entitled, an act to regulate Mobile harbor, approved February 28th, 1889,

And non-concurred in the house amendment to the senate bill,

s. 103. To create a lien in favor, of the owners of public ginneries,

And requests a committee of conference thereon.

Committee on part of the senate :

Messrs. Browder, McElderry, and Walker of Marengo.

W.L. CLAY,

Secretary.

#### SENATE MESSAGE.

The senate bills just received, whose titles are set forth in the above and foregoing message, were severally read once and referred to the committees, as follows :

Public health, s. 371;

Judiciary, s. 490.

The house concurred in the senate amendment to

H. 85. To authorize the chancellor judge or register to require the complainant to give bond before a receiver is appointed.

Yeas 55, nays 2.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Bellinger, Boykin; Brooks, Brown of Russell, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Fielding, Fleming, Fletcher, Forman, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Hearn, Jackson, John, Kelly, Kennedy, Knight, Kyle, Langley, Maples, Martin, Mayfield, Meador, Meadows, Mahan, McCorvey, Prowell, Rand, Reaves, Bobbins, Robinson, Rogers, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile-, Summers, Whitten, Williams of Bullock, Williams of Henry—55.

Nays:

Messrs. Coleman and John—2.

The house concurred in the senate amendment to H. 725, whose title is set out in the foregoing senate message.

Yeas 57, nays 0.

Yeas :

Messrs Speaker, Banks, Ban-on, Beeson, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Cameron, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Ellis, Fielding, Fleming, Fletcher, Ford, Forman, Fulton, Gains, Gewin, Gibbons, Graham, Kennedy, Knight, Kyle, Lipscomb, Maples, Mayfield, Meador, Meadows, Moore, McCorvey, McQueen, Ott, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Sanford, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—57.

The house, on motion of Mr. Dale, receded from its amendment to s. 103, whose title is set out in the foregoing senate message :

The house insisted upon its amendment to s. 393. To regulate the fine and forfeiture fund and hard labor fund of Dallas county,

And asked for a committee of conference.

Committee on the part of the house :

Messrs. Graham, Prowell, and Cook of Wilcox.



## MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bills, your signature thereto is requested :

s. 344. To define the authority of physicians in the sale of or dispensing of medicines ;

s. 342. To authorize the mayor and city council of Troy, Alabama, to issue bonds of said city for an amount not exceeding twenty thousand dollars, for the purpose of purchasing land, and erecting, and equipping school buildings thereon, and for the improvement of the electric light plant and water works system of the city of Troy, Alabama;

s. 422. To authorize the court of county commissioners of Tuscaloosa county to issue and sell bonds of said county to an amount not exceeding twenty thousand dollars, for the purpose of placing a draw in the bridge across the Warrior river at Tuscaloosa, Alabama, thus converting said bridge into a draw-bridge ; of strengthening and improving said bridge throughout its entire length, and of erecting and maintaining other bridges in said. county;

s. 117. For the relief of the several sheriffs of the State of Alabama who collected fees from the state for releasing prisoners under the provisions of an act entitled "an act to provide, for the payment of costs on conviction of felony, where the defendant is sentenced to imprisonment in the penitentiary, approved February 25, 1889;

s. 436. To incorporate the Southern Lumber Fire Association of Birmingham, Alabama, and to define its rights and powers, and franchises.

W.L.CLAY,  
Secretary.

## SIGNING BILLS.

The speaker of the house in the presence of the house immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set out in the foregoing senate message.

## NIGHT SESSION.

The house re-assembled at 7 :30 o'clock.

## MESSAGE FROM THE SENATE.

Mr. Speaker :

At the request of Mr. Samford he has been excused by the senate from acting as member of the committee of conference on the disagreement of the two houses on the house bill

H. 873. To consolidate and adjust the bonded indebtedness of the state of Alabama ;

And the president of the senate has appointed Mr. Brewer on said committee in place of Mr. Samford.

The senate non-concurred in the house amendments to the senate bill

s. 154. To regulate the management of state and county convicts,

And requests a committee of conference thereon.

Committee on part of the senate: Messrs. Samford, Kilpatrick and Sayre ;

And has adopted a joint resolution herewith sent,

S. J. R. 492. To the senators and members in United States Congress, asking donations of mineral lands in this state for support of agricultural schools;

And has amended as therein shown, and as amended has passed the house bills,

H. 116. To amend sections one, two, four, five, six, seven, eleven, fourteen, seventeen and twenty-five of an act entitled an act to establish the city court of Bridgeport, approved February 21, 1893, and to extend the jurisdiction of said court;

H. 267. Prohibiting the sale, or giving away of any spirituous or malt liquors within one mile of Coffee Springs Camp Grounds, in Geneva county, within five miles of Bethabara church, in Tuskaloosa county, and within four miles of Neal's Chapel, in Macon county, and within three miles of Baptist church, Jenifer, Talladega county, Alabama, and within eight miles of Friendship Baptist church in Elmore county.

W. L. CLAY,  
Secretary.

## SENATE MESSAGE.

The house acceded to the request of the senate for a committee of conference on the disagreement of the two houses on the house amendments to

s. 154. to regulate the management of state and county convicts;

And the speaker appointed as the committee from the house, Messrs. Knight, Smith of Autauga, and Smith of Mobile.

On motion of Mr. Manning the rules were suspended and immediate consideration of S. J. R. 492, whose title is set out in the foregoing message, was had.

Mr. Coleman offered the following amendment:

Strike out agricultural school and experiment station and insert public schools.

Which on motion of Mr. Calhoun was tabled.

Yeas 42, nays 26.

Yeas:

Messrs. Speaker, Barren, Beeson, Boykin, Calhoun, Cameron, Camp, Curtis, Dale, Fletcher, Fulton, Gewin, Grant, Graves, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Lipscomb, Mayfield, Meador, Mahan, Montgomery, McCorvey, Ott, Perry, Prowell, Rand, Robbins, Robinson, Rogers, Sanford, Screws, Seale, Smith of Butler, Smith of Greene, Taylor, Tuck, Turner, Ward, Whitten—42.

Nays:

Messrs. Beeson, Cole, Coleman, Cook of Wilcox, Deans, Ellis, Fielding, Ford, Forman, Franklin, Gains, Gibbons, Harris, Hearn, Langley, Maples, Mastin, Meadows, Mills, Rabb, Reaves, Robbins, Savage, Smith of Autauga, Smith of Mobile, Taylor, Wheeless, Williams of Bullock—26.

And the resolution was concurred in.

The house concurred in the senate amendment to H. 116 whose title is set out in the foregoing senate message.

Yeas 51, nays 0.

Yeas :

Messrs. Speaker, Beasley, Beeson, Bellinger, Brooks, Brown of Russell, Burks, Burns, Calhoun, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Fielding,

Fletcher, Franklin, Fulton, Gains, Gewin, Gibbons, Graham, Graves, Harris, Jackson, John, Kelly, Kennedy, Lipscomb, Maples, Mastin, May field, Meadows, Mahan, Mills, Ott, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Sanford, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Ward, Willett, Williams of Bullock, Williams of Henry—61.

Mr. Robinson offered the following amendment to the senate amendment to H. 267 whose title is set out in the foregoing senate message "amend the amendment by striking out the words three (3)" where they occur and inserting in lieu thereof, the words "two (2)."

The amendment was adopted and the amendment as amended was concurred in,

Yeas 57, nays 1.

Yeas :

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Coleman, Cook of Wilcox, Curtis, Dale, Davis, Deans, Fielding, Fletcher, Ford, Franklin, Gewin, Gibbons, Graves, Jackson, John, Kelly, Kennedy, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Ott, Prowell, Reaves, Roach, Robbins, Robinson, Rogers, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Butter, Smith of Mobile, Summers, Ward, Whitten, Williams of Henry 57.

Nay: Mr. Fulton.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bills, your signature therto is requested :

s. 170. To prevent stock from running at large in certain parts of Perry county viz : Uniontown precinct;

s. 356. To prohibit fishing, netting, seining or otherwise catching fish from the stream, known as Kellet Creek where the same passes through beat No. 2, section 10, Tallapoosa county.

W. L. CLAY,  
Secretary.

## SINGING BILLS.

The speaker of the house in the presence of the house-immediately after their titles had been publicly read by the clerk signed the bills whose titles are set out in the foregoing senate message.

By leave of the house Mr. John called up

H. 1027. To provide for a state exhibit at the Cotton States and International Exposition to be held in Atlanta September 18th, to December 31, 1895,

Which, on motion of Mr. Knight, was tabled.

Yeas 39, nays 24.

Yeas:

Messrs. Banks, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Coleman, Cook of Talladega, Davis, Deans, Fielding, Fletcher, Franklin, Gains, Gewin, Gibbons, Graves, Harris, Hearn, Jackson, Knight, Kyle, Langley, Manning, Martin, Meadows, Mills, Mixon, Reaves, Robbins, Sanford, Savage, Scarborough, Seale, Smith of Greene, Summers, Ward, Williams of Henry—39.

Nays:

Messrs. Speaker, Brooks, Burks, Camp, Cook of Wilcox, Forman, Fulton, John, Kelly, Kennedy, Lipscomb, Maples, Mayfield, Meador, Mahan, Montgomery, O'Brien, Ott, Prowell, Rand, Robinson, Rogers, Smith of Autauga, Whitten—24.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

The committee on enrolled bills report the following-bills correctly enrolled:

H. 96. To amend section 3588 of the code;

H. 216. To change the western boundary line of the Olintonville School District in Coffee county, Alabama,

H. 468. To increase the number of majors in the regiment of state troops to three;

H. 469. To allow county commissioners in each county to appropriate a sufficient sum to pay armory rent for military companies located in their respective counties;

H. 471. To authorize the surgeon of each regiment of state troops to purchase necessary medicines, bandages,

surgical instruments, etc., for the troops while in active service;

H. 544. To regulate the granting of licenses to retail vinous or spirituous liquors in the town of Louisville, Barbour county;

H. 745. For the relief of M. E. Curtis as sheriff of Wilcox county, Alabama ;

H. 1020. To regulate defenses to actions on policies of life insurance ;

H. 1058. To establish five additional branch Agricultural Experiment Stations and Agricultural Schools to be located in the first, fourth, fifth, sixth and ninth congressional districts respectively in the state of Alabama ;

H. 534. To incorporate Morgan County College in Morgan county, Alabama;

H. 386. To refund to P. W. Chastang the sum of eighty dollars, being purchase money for certain land heretofore erroneously sold him by the state ;

H. 39. To repeal section 82 of an act entitled an act to establish a new charter for the city of Montgomery, approved February 10, 1893 ;

H. 380. To make appropriation to pay certain rewards for absconding felons, earned during the fiscal year 1893.

J.H.MONTGOMERY,  
Chairman,

#### SIGNING BILLS.

The speaker of the house in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, whose titles are set out in the foregoing report of the committee on enrolled bills.

#### REPORT OF COMMITTEE.

The joint committee of the senate and house to consider the adjournment of the general assembly recommended that the two houses adjourn on Friday night, February 15th to meet on Monday, February 18th and to adjourn Monday night at 12 o'clock, sine die.

The report of the committee was concurred in.

Mr. Deans offered the following resolution :

Resolved, That the acting chairman of the temperance committee be requested to report to this house immediately senate bill No. 328, which has been acted upon by the committee.

Which was adopted.

The committee thereupon reported the bill adversely.

Mr. Kyle moved that the bill be read a second time and placed on the calendar.

Lost.

#### BILLS ON THIRD READING.

H. 739. To provide more efficient means-of collecting solicitors fees in this state,

Was read a third time, at length, and passed—yeas 52, nays 5.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Boykin, Brooks, Brown, of Russell, Burks, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Dale, Fletcher, Fulton, Gewin, Graves, Hearn, Jackson, John, Kennedy, Knight, Kyle, Langley, Maples, Mastin, Mayfield, Meadows, Mixon, Montgomery, O'Brien, Ott, Patton, Perry, Prowell, Rand, Reaves, Roach, Robbing, Robinson, Rogers, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Ward, Whitten, Williams of Henry, Wood—52.

Nays:

Messrs. Coleman, Ford, Forman, Franklin, Harris—5.

s. 453. For the relief of M. F. Beck of Lee county, Alabama,

Was read a third, time, at length, and passed—yeas 53, nays 0.

Yeas:

Messrs. Banks, Beasley, Beeson, Bellinger, Brooks, Burns Calhoun, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Fleming, Fletcher, Ford, Forman, Fuller, Fulton, Gewin, Gibbons, Graves, Harris, Hearn, Jackson, John, Kelly, Killebrew, Knight, Kyle, Langley, Maples, Mayfield, Meador, Mahan, Mixon, O'Brien, Prowell, Rand, Roach, Robbins, Robinson, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Ward, Whitten, Williams of Henry, Wood—53.

H. 813. To prescribe the compensation of the judge of probate of Morgan county, Alabama, for services as judge of the county court of said county,

Was read a third time, at length, and passed—yeas 48, nays 8.

Yeas:

Messrs. Speaker, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Camp, Cook of Talladega, Cook of Wilcox, Davis, Deans, Fielding, Fletcher, Ford, Fulton, Gains, Gewin, Gibbons, Jackson, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Lipscomb, Maples, Mastin, Mayfield, Meador, Mahan, Mills, Mixon, Montgomery, O'Brien, Ott, Prowell, Rand, Reaves, Robinson, Sanford, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Ward, Willett, Williams of Henry, Wood—48.

Nays:

Messrs. Calhoun, Coleman, Forman, Graves, Harris, Langley and Ott—8.

H. 781. To establish Pleasant Hill school district in Jefferson county, Alabama,

Was read a third time, at length, and passed—yeas 57, nays 0.

Yeas :

Messrs. Speaker, Banks, Beeson, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Coleman, Cook of Wilcox, Dale, Deans, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Graves, Harris, Jackson, John, Kelly, Kennedy, Killebrew, Knight, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, McCorvey, O'Brien, Ott, Perry, Prowell, Rabb, Reaves, Robbins, Robinson, Rowe, Routon, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Ward, Whitten, Wood—57.

H. 1210. To amend an act entitled an act to prescribe and regulate the terms of the court of county commissioners of Jefferson county, approved December 5th, 1892,

Was read a third time at length and passed—yeas 56, nays 1.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger,



Burks, Calhoun, Cameron, Camp, Coleman, Cook of Wilcox, Dale, Davis, Deans, Fielding, Fleming, Fletcher, Ford, Forman, Fulton, Gains, Gibbons, Graves, Harris, Jackson, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mixon, Montgomery, O'Brien, Ott, Perry, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Sanford, Scarborough, Smith of Butler, Smith of Greene, Smith of Mobile, Ward, Whitten, Williams of Henry, Wood—56.

Nay: Mr. Taylor—1.

s. 330. For the relief of T. S. Moore of Baldwin county, Alabama,

Was read a third time at length and passed—yeas 56, nays 0.

Yeas:

Messrs. Speaker, Banks, Beeson, Boykin, Brooks, Burks, Calhoun, Cameron, Camp, Cole, Cook of Wilcox, Curtis, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Graves, Harris, Hearn, Hill, Jackson, Kelly, Kennedy, Kyle, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mills, Mixon, Montgomery, O'Brien, Perry, Reaves, Robinson, Rogers, Sanford, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Ward, Whitten, Williams of Henry, Wood—56.

H. 941. To incorporate the Olivet Club.

Mr. Montgomery offered an amendment, which was adopted, and

The bill,

Was read a third time, at length, and passed—yeas 35, nays 17.

Yeas :

Messrs. Speaker, Beeson, Boykin, Brown of Russell, Burks, Burns, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Ford, Gains, Gibbons, Graves, John, Kelly, Kyle, Lipscomb, Maples; Mayfield, Meador, Meadows, Mahan, Montgomery, Ott, Prowell, Rand, Robinson, Rogers, Sanford, Scarborough, Screws, Summers, Ward, Whitten, Wood—35.

Nays:

Messrs. Banks, Beasley, Beeson, Brown of Conecuh,

63h

Burks, Calhoun, Forman, Franklin, Fulton, Graves, Harris, Hearn, Jackson, Kennedy, Mills, Mixon, Perry, Reaves, Robinson, Savage—17.

H. 541. To authorize the city of Eufaula to buy, lease, contract for, build, construct, maintain and operate a system of water "works and a gas or electric light plant or gas and electric light plants in said city and vicinity,

Was read a third time at length and passed—yeas 55, nays 3.

Yeas:

Messrs. Beasley, Beeson, Boykin, Brooks, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Ford, Fulton, Gains, Gewin, Gibbons, Graves, Hearn, Jackson, John, Kelly, Kennedy, Kyle, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon', Montgomery, Ott, Perry, Prowell, Rand, Reaves, Robbins, Robinson, Sanford, Savage, Scarborough, Screws, Smith of Butler, Smith of Greene, Smith of Mobile, Summers,. Ward, Whitten, Williams of Henry, Wood—55.

Nays:

Messrs. Banks, Coleman; and Franklin—3.

s. 312. To prevent hogs, sheep and goats from running at large in certain parts of Limestone county, and to repeal an act approved February 1st, 1893, entitled an act to authorize and direct the commissioners court of Limestone county to establish districts in said county in which hogs, sheep and goats may be prevented from running at large,

Was read a third time at length and passed—yeas 55, nays 0.

Yeas :

Messrs. Banks, Beasley, Beeson, Boykin, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Fielding, Fletcher, Ford, Forman, Franklin, Fulton, Gains, Gewin, Graham, Grant, Graves, Harris, Hearn, John, Kennedy, Kyle, Lipscomb^ Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mixon, O'Brien, Ott, Patton, Reaves, Roach, Robbins, Robinson, Rogers, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Ward, Whitten, Williams of Henry, Wood—55.

H. 972. To prevent stock from running at large in sections 31, 32, 29 and west ½ of 28 township 18, range 24, in Macon county,

Was amended, read a third time, at length, and passed yeas 56, nays 1.

Yeas :

Messrs. Speaker Banks, Beasley Beeson, Boykin, Brooks, Calhoun, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Fielding, Fleming, Fletcher, Ford, Forman, Fulton, Gains, Gewin, Gibbons, Graves, Hearn, Jackson, John, Kelly, Kennedy, Kyle, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows. Mahan, Mills, Mixon, Montgomery, O'Brien, Ott, Patton, Prowell, Rand, Reaves, Robinson, Rogers, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Ward, Whitten, Williams of Bullock, Williams of Henry, Wood—56.

Nay: Mr. Taylor—1.

s. 291. To regulate the amount of fees to be received by witnesses attending court in criminal cases or before the grand jury, or any other criminal proceedings so far as the same relates to the county of Tuscaloosa,

Was amended, read a third time at length, and passed yeas 51, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Boykin, Brooks, Burks, Burns, Calhoun, Camp, Cole, Coleman, Cook of Wilcox, Dale, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Franklin, Fuller, Gains, Gewin, Graham, Grant, Graves, John, Kyle, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Mixon, Montgomery, O'Brien, Ott, Patton, Prowell, Reaves, Robinson, Rogers, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Wheelless, Whitten—51.

s. 259. For the relief of persons who have purchased lands from the state, which lands were bid off for the state at tax sale, and from any cause were not subject to sale by the state,

Was read a third time at length, and passed—yeas 52, nays 0.

Yeas:

Messrs. Banks, Beasley, Beeson, Bellinger, Boykin,

Brooks, Cameron, Camp, Cook of Wilcox, Davis, Deans, Fleming, Fletcher, Ford, Forman, Fulton, Gains, Gewin, Gibbons, Graves, Harris, Jackson, John, Kelly, Kennedy, Kyle, Lipscomb, Manning, Maples, Mastin, Meadows, Mahan, Mills, Montgomery, O'Brien, Ott, Perry, Prowell, Rand, Reaves, Robbins, Robinson, Rogers, Rowe, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Ward, Whitten, Wood—52.

s. 349. To prohibit stock from running at large on lands owned by T. A. Bradford, in Marengo county, Was read a third time at length and passed—yeas' 53, nays 0.

Yeas :

Messrs. Banks, Beeson, Bellinger, Boykin, Brooks, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Davis, Deans, Fielding, Fleming, Fletcher, Ford, Forman, Fulton, Gains, Gewin, Gibbons, Graves, Harris, Jackson, John, Kelly, Kennedy, Lipscomb, Maples, Mastin, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, O'Brien, Ott, Perry, Prowell, Rand, Reaves, Robinson, Rogers, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Tuck, Ward, Whitten, Wood—53.

s. 345. To incorporate the Southern Home Insurance Company, and to define its rights, powers and franchises, Was read a third time at length and passed—yeas 53, nays 1.

Yeas :

Messrs. Banks, Beasley, Beeson, Bellinger, Boykin, Brooks, Burns, Calhoun, Cameron, Cook of Talladega, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Fulton, Gewin, Graham, Graves, Jackson, John, Kennedy, Kyle, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, Montgomery, McQueen, Patton, Prowell, Rabb, Reaves, Roach, Robbins, Robinson, Rogers, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Tuck, Whitten, Williams of Bullock, Wood—53.

Nay : Mr. Taylor—1.

s. 462. To provide for the assessment and collection of taxes due after January 1st, 1895, on all property situated heretofore in the counties of Lawrence and Col-

bert, but made parts of Colbert and Franklin counties by an act entitled an act to change the boundary lines of the counties of Colbert, Franklin and Lawrence, approved February 6th, 1895,

Was read a third time, at length, and passed—yeas 51, nays 0.

Yeas :

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Boykin, Brooks, Burns, Calhoun, Coleman, Cook of Talladega, Dale, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Ford, Forman, Fulton, Gewin, Gibbons, Graves, Harris, Jackson, John, Kelly, Kennedy, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Ott, Perry, Reaves, Robbins, Robinson, Rogers, Sanford, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Turner, Willett, Wood—51.

H. 1175. To authorize the probate judge and county commissioners of Randolph county to lay off beat No. 3 and beat No. 6 and all that part of township 18 of range 10 that lies west of Big Tallapoosa river into stock law districts and to authorize elections thereon to prohibit stock from running at large in said districts,

Was read a third time at length and passed—yeas 54, nays 0.

Yeas :

Messrs. Speaker, Banks, Barren, Beeson, Bellinger, Brooks, Brown of Conecuh, Burks, Calhoun, Camp, Coleman, Cook of Talladega, Curtis, Davis, Deans, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Graves, Harris, Jackson, John, Kelly, Kennedy, Kyle, Maples, Mastin, Mayfield, Mahan, Mills, O'Brien, Ott, Perry, Prowell, Rand, Reaves, Robbins, Robinson, Rogers, Screws, Smith of Butler, Smith of Mobile, Summers, Whitten, Wood—54.

H. 548. To amend section 533 of the code,  
Was read a third time at length and passed—yeas 54, nays 1.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Boykin, Brooks, Burns, Calhoun, Camp, Coleman, Cook of Talladega, Davis, Deans, Ellis, Fleming, Fletcher, Ford, Forman, Franklin, Fulton, Gains, Gibbons, Grant, Graves, Jackson, Jinks, John, Knight, Kyle, Langley,

Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, McClusky, O'Brien, Ott, Patton, Prowell, Rabb, Reaves, Roach, Robbins, Robinson, Rowe, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Wood—54.

Nay :

Mr. Taylor—1.

s. 225. To establish Pintlala School District in Lowndes county,

Was read a third time, at length, and passed—yeas-54, nays 0.

Yeas :

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Boykin, Brooks, Calhoun, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Fielding, Fleming, Fletcher, Ford, Fulton, Gewin, Gibbons, Graves, Harris, Jackson, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Maples, Mastin, Mayfield, Meador, Mahan, Mixon, O'Brien, Ott, Perry, Prowell, Rand, Reaves, Robbins, Robinson, Rogers, Sanford, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Ward, Whitten, Wood—54.

s. 219. To regulate the sale of goods, wares, merchandise and other personal property advertised as-bankrupt, insolvent, insurance, assignee, trustee, testator, executor, administrator, receiver, auction, syndicate, railroad or other wreck, wholesale or manufacturers or closing out sale, or goods damaged by smoke, fire, water, or otherwise and to provide for a license fee for such sales from such vendors,

Was amended, read a third time at length and passed—yeas 52, nays 0.

Yeas :

Messrs. Banks, Beasley, Beeson, Boykin, Brooks, Calhoun, Camp, Cook of Talladega, Curtis, Davis, Deans, Fleming, Fletcher, Ford, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Graves, Harris, Jackson, John, Kennedy, Knight, Kyle, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mahan, Mixon, O'Brien, Ott, Perry, Rand, Reaves, Robbins, Robinson, Rogers, Sanford, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Ward, Whitten, Willett, Wood—52.

s.298. To incorporate the Madison High School in Madison county, Alabama,

Was read a third time, at length, and passed--yeas 55, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Boykin, Brooks, Burns, Calhoun, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, fielding, Fleming, Fletcher, Ford, Forman, Fulton, Gewin, Gibbons, Graves, Harris, Jackson, John, Kelly, Kennedy, Knight, Kyle, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, McClusky, O'Brien, Ott, Perry, Prowell, Rabb, Reaves, Robbing, Robinson, Rogers, Screws, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Whitten, Wood—55.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended as therein shown, and as amended has passed the following house bills :

H. 531. To protect and regulate the time and manner of catching and taking fish from and in the waters of the state of Alabama, in Madison county ;

H. 387. For the preservation of birds in the county of Barbour;

And has passed the house bills :

H. 361. To authorize the commissioners court of Tuscaloosa county to establish districts in which stock may be prevented from running at large ;

H. 534. To incorporate Morgan County college, in Morgan county, Alabama;

H. 216. To change the western boundary line of the Clintonville school district in Coffee county, Alabama ;

H. 771. To amend the charter of the town of Greensboro, in Hale county, Alabama, and all acts amendatory thereto;

H. 782. To incorporate the town of Kennedy, in Lamar county, Alabama;

H. 898. To establish a new charter for the city of Anniston;

H. 639. To establish a charter for the town of Polard, Alabama;

H. 853. To amend an act entitled an act to incorporate the town of Geneva, in Geneva county, approved March the 4th, 1875;

H. 471. To authorize the surgeon of each regiment of the state troops to purchase necessary medicine, bandages, surgical instruments, etc., for the troops while in active service;

H. 468. To increase the number of majors in the regiment of state troops to three ;

H. 469. To allow county commissioners in each county to appropriate a sufficient sum to pay armory rent for military companies located in their respective counties ;

H. 544. To regulate the granting of licenses to retail vinous or spirituous liquors in the town of Louisville, Barbour" county ;

H. 39. To repeal section 82 of an act entitled an act to establish a new charter for the city of Montgomery, approved February 10, 1893 ;

H. 546. To repeal sections 10, 11, 12 and 13 of an act to prevent the running at large of stock in certain portions of Elmore county, approved February 18, 1891;

H. 386. To refund to S. W. Chastang the sum of eighty dollars, being purchase money for certain land heretofore erroneously sold him by the state ;

H. 447. To incorporate the Alabama Penny Saving and Loan Company ;

H. 1069. To regulate the fine and forfeiture fund of Elmore county and to better provide for the payment of claims against the same ;

H. 1032. To amend section three of an act entitled an act to amend the caption and sections one (1) and eight (8) of an act entitled an act to prevent horses, mules, asses, cows, hogs, sheep and goats from running uncontrolled on crops in beat number five and in beat number eight in Butler county, and to prescribe a rule of damages and rules of protection in trial of cases under this act, approved February 5th, 1891;

H. 760. To prohibit the selling, giving away, or otherwise disposing of alcoholic, vinous, or malt liquors, or other intoxicating drinks or beverages, or fruits preserved in alcoholic liquors, within one-half mile, in every direction from Mash's mill in beat six, in Crenshaw county, Alabama;



H. 621. To authorize the court of county commissioners of Hale county to issue bonds for the purpose of paying off and discharging the old bonds of said county;

H. 306. To amend sections 2, 3, 4, 5, 7 and 8 of an act to constitute the city of Gadsden a separate school district, approved February 28, 1889 ;

H. 948. To change and more permanently establish the line between the counties of Blount and Walker;

H. 979. To incorporate the "Citizens' Hose Company No. 5." located in the city of Montgomery, Montgomery county, Alabama;

H. 1193. To provide for the permanent location of the county site of Calhoun county, by a vote of the qualified electors of said county ;

H. 279. To prevent the running at large in the state of Alabama, of rabid dogs or dogs bitten or supposed to have been by a rabid dog ;

H. 806. To amend section 3872 of the code of 1886 ;

H. 380. To make appropriation to pay a certain reward for absconding felons, earned during the fiscal year 1893;

H. 332. To amend section 4796 of the code ;

H. 597. For the relief of Cyrus Boykin, of Washington county;

H. 1090. For the relief of A. F. Wilson ;

H. 610. To incorporate the Attalla Normal College;

H. 663. To establish a separate school district to be known as the Hulaco school district, in Cullman county, Alabama;

H. 624. To create a separate school district to be known as Headland school district in Henry county, and to define the boundaries thereof ;

H. 994. To prohibit the sale, giving away, delivering, transferring, parting with, procuring or other disposition of spirituous, vinous, or malt liquors or any intoxicating bitters within five miles of the Andalusia High School, Baptist and Methodist churches ;

H. 553. To incorporate the town of Camp Hill.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The, house concurred in the senate amendment to H.

531 whose title is set out in the foregoing senate message.

Yeas 52, nays 1.

Yeas :

Messrs. Speaker, Beasley, Beeson, Bellinger, Brown, of Russell, Burns, Calhoun, Camp, Fletcher, Ford, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Graves, Harris, Jackson, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mills, Montgomery, McClusky, McQueen, O'Brien, Ott, Patton, Prowell, Rabb, Rand, Reaves, Robbins, Robinson, Rogers, Sanford, Savage, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Whitten, Wood—52.

Nay:

Mr. Banks—1.

The house concurred in the senate amendment to H-387, whose title is set out in the foregoing senate message.

Yeas 56, nays 0.

Yeas :

Messrs. Speaker, Beasley, Beeson, Boykin, Burks, Burns, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Graves, Harris, Jackson, John, Kennedy, Knight, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mills, Montgomery, O'Brien, Ott, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Routon, Sanford, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Wheelless, Whitten, Williams of Henry, Wood—56.

And the house, on motion, adjourned till 10 o'clock a. m., to-morrow.

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FORTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,  
February 15, 1895.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Ott of the house.

A quorum was present.

## LEAVE OF ABSENCE

Was granted Messrs. Burns, Fuller, Fielding, and Patton on account of sickness.

## A PROTEST.

Mr. Speaker:

The undersigned member of the general assembly of Alabama respectfully protest against the adoption of the majority report of the committee appointed by this body to investigate the facts, as to one hundred dollars of state money having been used to defray the expense of the inauguration of Governor Oates, for the following reasons, to-wit:

1st. Because the report is unsatisfactory in its details, and does not contain all the information desired.

2nd. Because the legislature refused to appropriate any amount, and specifically refused to pass a bill appropriating one hundred dollars out Of the treasury for that purpose.

3d. Because there was not a dollar, according to the auditor's report, of the contingent fund, controlled by the governor at the date of the expenditure of one hundred dollars for that purpose, by the governor, out of that contingent fund ; and such conduct is capable of mixing up the arithmetic and book-keeping of the state officers.

4th. Because this general assembly has already passed a deficiency bill to pay interest on temporary loans.

5th. Because the use of one hundred dollars under the circumstances was not only illegal, but contemptuous treatment of this general assembly.

6th. Because it is a bad precedent, and dangerous to good government for such acts to go unchallenged and unrebuked

7th. Because it was a violation of the spirit and intent of the following sections of the constitution, to-wit:

Article IV, section 32. The general appropriation bill shall embrace nothing but appropriations for the ordinary expenses of the executive, legislative and judicial departments of the state, interest on the public debt, and for the public schools ; all other appropriations shall be

made by separate bills, each embracing but one subject.

Sec. 33. No money shall be paid out of the treasury except upon appropriations made by law, and on warrant drawn by the proper officer in pursuance thereof; and a regular statement and account of receipts and expenditures of all public moneys shall be published annually in such manner as may be by law directed.

A. J. HEARN.

The protest was ordered spread on the journal.

#### SPECIAL ORDER.

s. 274. To provide for and regulate contests of elections for governor, secretary of state, state auditor, state treasurer and attorney-general.

On motion of Mr. Fletcher, the previous question was ordered on the third reading and passage of the bill, and the bill

Was read a third time, at length, and passed—yeas 69, nays 3.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Brooks, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deana, Ellis, Fielding, Fleming, Fletcher, Forman, Fulton, Gains, Gibbons, Graham, Grant, Graves, Harris, Hill, Jackson, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Manning, Maples, Mastin, Mayfield, Meador, Meadows, Mahan, Mixon, Montgomery, Ott, Perry, Rabb, Rand, Reaves, Roach, Robinson, Rogers, Routon, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry, Wood—69.

Nays :

Messrs. Cole, Franklin and Hearn—3.

s. 459. To amend section 5, to repeal section 35 and section 36, and to add section 49 to an act entitled an act to further regulate elections in the State of Alabama, approved February 21, 1893.

On motion of Mr. Fletcher, the previous question was ordered on the third reading and passage of the bill, and

The bill

Was read a third time, at length, and passed,—yeas 77, nays 8.

Yeas :

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fulton, Gains, Gibbins, Graham, Grant, Graves, Hill, Jackson, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Manning, Maples, Mayfield, Meador, Meadows, Mahan, Montgomery, McCorvey, G'Brien, Ott, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robinson, Rogers, Routon, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry, Wood—77.

Nays:

Messrs. Cole, Harris, Hearn, Langley, Mastin, Mills, Robbins, Taylor—8.

Mr. Hearn presented a resolution relative to the alien railroad incorporation bill, which was referred to the committee on rules.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended as therein shown, and as amended has passed the house bills,

H. 167. To amend section one of an act entitled an act to establish a normal school for the education of white male and female teachers at Troy in Pike county, Alabama;

H. 1119. To provide for the revision, codification, digesting, and promulgation of statutes of this state, both civil and criminal;

And the senate has concurred in the report of the joint committee, heretofore raised, to report the day when the general assembly shall adjourn sine die;

And the senate has non-concurred in the house amendment to the senate bill,

s. 188. To repeal sections nine and ten of an act of

the general assembly of Alabama, approved February 19, 1883, and entitled an act to incorporate the Bienville Water Supply Company,

And asks a committee of conference thereon.

Committee on the part of the senate :

Messrs. Austill, Moody and McElderry,

And has passed the house bills,

H. 1051. To adopt a flag for the use of the state of Alabama;

H. 482. To amend sections 8 and 10 of an act to create the board of education of the city of Birmingham, and to prescribe the powers and duties of the same ;

H. 727. For the relief of the representatives of Gaylord B. Clarke, deceased ;

H. 1031. To establish a board of revenue for Barbour county.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The house concurred in the senate amendment to H. 167, whse title is set out in the foregoing senate message .

Yeas 61, nays 6.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Boykin, Brooks, Brown of Russell, Burks, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Ellis, Fleming, Fletcher, Forman, Fulton, Gibbons, Graham, Harris, Hill, Jackson, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Manning, Mayfield, Meador, Meadows, Mahan, Mixon, McCorvey, O'Brien, Patton, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Sanford, Savage, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry, Wood—61.

Nays.:

Messrs. Coleman, Curtis, Davis, Graves, Langley and Maples—6.

The house concurred in the senate amendment to H .

1119 whose title, is set out in the foregoing senate message.

Yeas 68, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Boykin, Brooks, Brown of Russell, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Fielding, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Graham, Grant, Graves, Harris, Hearn, Jackson, John, Kennedy, Killebrew, Knight, Langley, Manning, Maples, Mayfield, Meadows, Montgomery, Moore, McCorvey, McQueen, O'Brien, Patton, Prowell, Rabb, Reaves, Roach, Robinson, Rogers, Routon, Sanford, Savage, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Wheelless, Whitten, Williams of Bullock, Williams of Henry, Wood—68.

The house acceded to the request of the senate for a committee of conference on house amendment to s. 188 whose title is set out on the foregoing senate message.

Committee on the part of the house, Messrs. Smith of Mobile, John and Turner.

#### BILLS ON THIRD READING.

s. 336. For the relief of R. S, McWhorter, late tax collector of Lowndes county,

Was read a third time, at length, and passed—yeas 60, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Bellinger, Brooks, Brown of Russell, Burks, Calhoun, Cameron, Cook of Talladega, Cook of Wilcox, Dale,, Davis, Fletcher, Forman, Franklin, Gibbons, Graham, Grant, Graves, Harris, Jinks, Kelly, Kennedy, Knight, Kyle, Lipscomb, Maples, Mastin, Meadows, Mahan, Mills, Montgomery, McCorvey, O'Brien, Patton, Prowell, Rabb, Reaves, Roach, Robinson, Routon, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry, Wood—60.

s. 294. To fix the time of holding the chancery courts in the counties of Pike, Coffee and Geneva,

Was read a third time at length and passed—yeas 66, nays 0.

Yeas:

Messrs. Banks, Barron, Beeson, Boy kin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Ellis, Fielding, Fletcher, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Harris, Hearn, Jackson, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langlely, Lipscomb, Maples, Mayfield, Mahan, Mills, Montgomery, Moore, McClusky, McCorvey, O'Brien, Patton, Prowell, Rand, Reaves, Roach, Robinson, Rogers, Routon, Scarborough, Smith, of Autauga, Smith of Mobile, Taylor, Turner, Ward, Wheelless Whitten, Williams of Bullock, Williams of Henry, Wood—66.

s. 228. To regulate the practice and proceedings in civil cases in the circuit courts of Morgan and Madison counties,

Was read a third time at length and passed—yeas 65, nays 1.

Yeas :

Messrs. Banks, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fielding, Fleming, Fletcher, Forman, Gains, Gibbons, Graham, Graves, Hearn, Hill, Jinks, John, Kennedy, Knight, Kyle, Langlely, Manning, Mastin, Mayfield, Meador, Meadows, Mahan, Mixon, Montgomery, McClusky, McCorvey, O'Brien, Patton, Prowell, Rand, Reaves, Roach, Robinson, Rowe Routon, Savage, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Tuck, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—65.

Nay:

Mr. Franklin—1.

s. 96. To regulate the practice and proceedings, in civil cases in the circuit courts of Colbert and Lauderdale counties in this state, and in the supreme court on appeals from judgment rendered in such cases,



Was amended, read a third time at length and passed—yeas 65, nays 0.

Yeas:

Messrs. Speaker, Barron, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gibbons, Graham, Grant, Graves, Harris, Hearn, Hill, Jinks, John, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Meadows, Mahan, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Patton, Prowell, Rabb, Reaves, Robbins, Robinson, Rogers, Routon, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Taylor, Turner, Ward, Whitten, Williams of Bullock, Williams of Henry—65.

s. 315. To amend section three of an act entitled an act to create the eleventh judicial circuit of the state of Alabama, to fix the time of holding court therein and to provide for the appointment of a judge for the said circuit and the election of a solicitor for said circuit, approved December, 7, 1894,

Was read a third time at length and passed—yeas 70, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Gains, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jackson, Jinks, John, Kennedy, Killebrew, Knight, Langley, Lipscomb, Manning, Maples, Mastin, Meador, Meadows, Mahan, Mills, Montgomery, Moore, McCorvey, McQueen, Ott, Patton, Prowell, Rabb, Rowe, Routon, Sanford, Scarborough, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Wheelless, Whitten, Williams of Bullock, Williams of Henry, Wood—70.

s. 434. To fix the time and to define the terms for holding the circuit courts in the several counties of the tenth judicial circuit,

Was read a third time, at length, and passed—yeas 70, nays 0.

Yeas:

Messrs; Speaker, Barren, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of, Russell, Calhoun, Cameron, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Fielding, Fleming<sup>1</sup>, Fletcher, Forman, Franklin, Fuller, Fulton, Gibbons, Graham, Graves, Harris, Hearn, John, Kelly, Kennedy, Knight, Kyle, Manning, Mastin, Mayfield, Mahan, Mixon, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Perry, Prowell, Rabb, Rand, Reaves, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—70.

s. 435. To provide for the holding of the circuit courts in the several judicial circuits,

Was amended, read a third time at length and passed, yeas 77, nays 0.

Yeas:

Messrs. Speaker, Barren, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jackson, Jinks, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Manning, Maples, Mayfield, Meador, Meadows, Mahan, Mixon, Montgomery, Moore, McClusky, McQueen, O'Brien, Ott, Perry, Prowell, Rabb, Reaves, Roach, Robbins, Robinson, Rogers, Routon, Sanford, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Tuck, Turner, Wheelless, Whitten, Williams of Bullock, Williams of Henry, Wood—77.

s. 429. To fix the time for holding circuit court in the counties of Clay and Cleburne,

Was read a third time, at length, and passed—yeas 66, nays 0.

Yeas:

Messrs. Speaker, Barron, Beasley, Beeson, Boykin,

Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Deans, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fulton, Gains, Gewin, Graham, Grant, Harris, Hearn, Hill, Jackson, John, Kelly, Kennedy, Killebrew, Knight, Langley, Manning, Mastin, Mayfield, Meadows, Mills, Mixon, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Patton, Prowell, Rabb, Reaves, Roach, Robinson, Rogers, Routon, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Tuck, Ward, Whitten, Williams of Bullock, Williams of Henry—66.

s. 477. To fix the time of holding the circuit courts in the counties composing the first judicial circuit,  
Was amended, read a third time at length and passed yeas 73, nays 0.

Yeas :

Messrs. Speaker, Barren, Beasley, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Harris, Hearn, John, Kelly, Kennedy, Knight, Langley, Manning, Mayfield, Meadows, Mahan, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Routon, Sanford, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry—73.

s. 475. To permit the tax collector of Lawrence county, to continue to reside in that part of said county which was attached to the county of Colbert, by an act passed at the present general assembly, changing the boundary lines between the counties of Franklin, Colbert and Lawrence, to provide for the exercise of jurisdiction and authority by precinct officers in the territory transferred by said act, and to provide for the determination of pending suits and judicial proceedings arising in said territory,

Was read a third time, at length, and passed—yeas 77, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Cameron, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fleming, Fletcher, Forman, Franklin, Fulton, Gains, Gibbons, Graham, Grant, Graves, Hill, Jackson, Jinks, John, Kennedy, Killebrew, Langley, Manning, Mastin, Mayfield, Meador, Meadows, Mahan, Mills, Mixon, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Ott, Patton, Prowell, Rabb, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers. Tuck, Ward, Whitten, Willett, Williams of Bullock, Williams of Henry, Wood—77.

s. 15. To amend an act entitled an act to establish a city court for the county of Talladega, approved February 23rd, 1893.

Mr. John offered the following amendment:

"Strike out section 25 of the bill."

Mr. Camp moved to table the amendment,  
Carried.

Yeas 40, nays 27.

Yeas:

Messrs. Banks, Barren, Beasley, Beeson, Brown of Conecuh, Brown of Russell, Burks, Cameron, Cole, Ford, Forman, Franklin, Fulton, Gains, Gibbons, Grant, Graves, Hearn, John, Kennedy, Kyle, Langley, Maples, Mastin, Mahan, O'Brien, Patton, Perry, Rabb, Rand, Reaves, Roach, Savage, Smith of Autauga, Smith of Butler, Summers, Taylor, Whitten, Williams of Bullock, Williams of Henry—40.

Nays :

Messrs. Boykin, Brooks, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Deans, Fletcher, Hill, Jackson, Kelly, Knight, Maples, Mayfield, Meador, Montgomery, McClusky, Prowell, Robinson, Rounton, Sanford, Scarborough, Screws, Smith of Mobile, Ward, Wood—27.

And the bill,

Was read a third time, at length, and passed—yeas 55, nays 2.

Yeas:

Messrs. Speaker, Barren, Beeson, Boykin, Brooks,

Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Cook of Talladega, Dale, Ellis, Fielding, Fleming, Fletcher, Gewin, Gibbons, Graham, Grant, Jackson, Kennedy, Kyle, Langlely, Libscomb, Maples, Mastin, Mayfield, Meador, Meadows, Mixon, Montgomery, McClusky, O'Brien, Ott, Prowell, Rabb, Reaves, Roach, Robbins, Robinson, Rowe, Sanford, Savage, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Whitten, Williams of Bullock, Williams of Henry, Wood—55.

Nays:

Messrs. Franklin and John—2.

Mr. Robinson offered the following resolution :

Resolved by the House, the Senate concurring, that a joint session of the two houses of the general assembly be held to-day, (Friday) at 12 m. for the purpose of electing a judge of the inferior court of Birmingham and a solicitor for the 13th judicial circuit, and a solicitor for the city court of Gadsden,

Which was adopted.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the house joint resolution, providing for a joint convention of the two houses of the general assembly at 12 m. to-day for the purpose of electing a judge of the inferior court of Birmingham and a solicitor for the 13th judicial circuit and a solicitor for the city court of Gadsden.

W. L. CLAY,  
Secretary.

#### JOINT CONVENTION FOR THE ELECTION OF A JUDGE OF THE POLICE COURT OF BIRMINGHAM, A SOLICITOR FOR THE 13TH JUDICIAL CIRCUIT AND A SOLICITOR FOR THE CITY COURT OF GADSDEN.

At 12 o'clock m. by invitation from the house, the senate entered the hall of the house of representatives to elect by joint ballot a judge for the police court of Birmingham, a solicitor for the 13th judicial circuit and a solicitor for the city court of Gadsden.

The joint convention was called to order by the president of the senate.

Upon a roll call the following senators answered to their names :

Messrs. President, Almon, Bogart, Brewer, Browder, Bruner, Culver, Cunningham, Darby, Day, Goodwyn, Hawkins, Hollis, Hundley, Kemp, Kilpatrick, McElderry, McRae, Milner, Moody, Nolen, Porter, Robinson, Rogers, Samford, Sayre, Walker of Henry, Walker of Marengo—28.

Being a majority of the senate of Alabama.

Upon a roll call of the house, the following representatives answered to their names, being a majority of the house, viz:

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Brooks, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Fletcher, Ford, Forman, Fulton, Gibbons, Graham, Grant, Graves, Harris, Hearn, John, Kelly, Kennedy, Killebrew, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mills, Montgomery, McClusky, McCorvey, O'Brien, Ott, Perry, Prowell, Rabb, Reaves, Roach, Robbins, Robinson, Rogers, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Taylor, Tuck, Turner, Ward, Wheeless, Whitten, Williams of Bullock, Williams of Henry. Wood—70.

The president of the senate announced that there being a quorum of the general assembly of Alabama, the convention was ready to proceed to the business for which it had assembled.

Mr. John nominated Joseph Hoyne Montgomery, for judge of the police court of Birmingham.

Mr. Coleman nominated Wm. P. McCrossin.

Those of the senate who voted for Mr. Montgomery are:

Messrs. President, Almon, Bogart, Browder, Culver, Cunningham, Day, Goodwyn, Hawkins, Hundley, Kemp, Kilpatrick, McElderry, McRae, Milner, Moody, Porter, Rogers, Samford, Sayre, Walker of Henry, Walker of Marengo—22.

And of the house :

Messrs. Speaker, Barren, Boykin, Brooks, Brown of

Russell, Calhoun, Cameron, Camp, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Fletcher, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Hill, Jackson, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Manning, Maples, Mayfield, Meador, Mahan, McClusky, McCorvey, Ott, Perry, Prowell, Rabb, Rand, Roach, Robinson, Rogers, Sanford, Scarborough, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Wheelless, Whitten, Williams of Bullock, Williams of Henry, Wood—57.

Those of the Senate who voted for Mr. McCrossin are :  
Messrs. Bruner, Hollis, Nolen and Robinson—4.

And of the house :

Messrs. Banks, Beasley, Beeson, Brown of Conecuh, Burks, Cole, Coleman, Cook of Talladega, Ellis, Ewing, Ford, Forman, Franklin, Gains, Harris, Hearn, Langley, Meadows, Mills, Reaves, Robbins, Savage—22.

The president of the senate then proclaimed that Mr. Montgomery having received a majority of all the votes cast, was duly and constitutionally elected judge of the police court of Birmingham for the term prescribed by law.

Mr. Robinson nominated Mr. Stewart Brooks of Mobile, for solicitor of the 13th judicial circuit.

Mr. Hearn nominated Mr. Bromberg of Washington county.

Those of the senate who voted for Mr. Brooks are :

Messrs. President, Bogart, Browder, Bruner, Cunningham, Hawkins, Hundley, Kemp, Kilpatrick, McElderry, McRae, Milner, Moody, Porter, Rogers, Sanford, Sayre, Walker of Henry, Walker of Marengo—19.

And of the house :

Messrs. Speaker, Barren, Boykin, Brooks, Brown of Russell, Calhoun, Cameron, Camp, Cook of Wilcox, Curtis, Davis, Ellis, Fleming, Fletcher, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Graves, Jinks, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Maples, Mayfield, Meador, Mahan, McClusky, McCorvey, McQueen, Ott, Perry, Prowell, Rabb, Roach, Robinson, Rogers, Sanford, Scarborough, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Whitten, Williams of Bullock, Williams of Henry, Wood—54.

Those of the senate who voted for Mr. Bromberg are :

Messrs. Darby, Day, Goodwyn, Hollis, Nolen and Robinson—6.

And of the house :

Messrs. Banks, Beasley, Beeson, Bellinger, Brown of Conecuh, Burks, Cole, Cook of Talladega, Ford, Franklin, Harris, Hearn, Langley, Meadows, Mills, Reaves, Robbins, Savage—18.

The president of the senate then proclaimed that Mr. Brooks, having received a majority of all the votes cast, was duly and constitutionally elected solicitor of the 13th judicial circuit, for the term prescribed by law.

Mr. Sanford nominated Mr. H. T. Davis, of Etowah, for solicitor of the city court of Gadsden.

Those of the senate who voted for Mr. Davis are :

Messrs. President, Almon, Bogart, Browder, Bruner, Culver, Cunningham, Day, Goodwyn, Hawkins, Hollis, Hundley, Kemp, Kilpatrick, McElderry, McRae, Milner, Moody, Nolen, Porter, Robinson, Rogers, Samford, Sayre, Walker of Henry, Walker of Marengo, Wharton—27.

And of the house :

Messrs. Speaker, Barren, Beeson, Boykin, Brooks, Brown of Russell, Calhoun, Cameron, Camp, Cook of Wilcox, Curtis, Dale, Fletcher, Forman, Fulton, Gewin, Gibbons, Graham, Grant, Graves, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Maples, Mayfield, Meador, Mahan, McCorvey, O'Brien, Ott, Prowell, Rabb, Rand, Roach, Robinson, Rogers, Sanford, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Tuck, Turner, Ward, Whitten, Williams of Bullock, Williams of Henry, Wood—52.

The president of the senate then proclaimed that Mr. Davis, having received a majority of all the votes cast, was duly and constitutionally elected solicitor of the city court of Gadsden.

The object of the joint session having been accomplished, the senate retired to its chamber.

And the house took a recess till 3 o'clock p.m.

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#### AFTERNOON SESSION.

The house re-assembled at 3 o'clock p. m.



## REPORT OF COMMITTEES.

The chairmen of the several committees, reported favorably the following bills :

s. 371. To amend sections nine (9) and ten (10) of an act entitled an act to establish and provide for the maintenance of a quarantine by improved methods, Against the introduction of yellow fever and other infectious and contagious diseases in the State of Alabama, approved February 16th, 1891;

s. 490. To define train robbing and fix a punishment therefor.

s. 378. To regulate the sale of real estate for unpaid municipal taxes and assessments in the city of Birmingham ;

s. 414. To incorporate Blount Springs College, Blount county, Alabama.

The above and foregoing bills, were severally read a second time, and placed on the calendar.

The speaker of of the house presented to the house the following communication :

Mr. Speaker:

I have this day transmitted to the governor of Alabama, my resignation as a member of the house of representatives of Alabama. In severing my connection with your honorable body, I desire to express to you and the members my thanks for the confidence that they have this day voted me.

Wishing you, the members and the officers of the house every success, I am very respectfully,

Jos. H. MONTGOMERY,  
Member from Jefferson.

Which was ordered spread upon the journal.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

The committee on enrolled bills report the following bills correctly enrolled :

H. 85. To authorize the chancellor, judge or register to require the complainant to give bond before a receiver is appointed,

H. 546. To repeal sections ten, eleven, twelve and

thirteen of an act entitled an act to prevent the running at large of stock in certain portions of Elmore county, approved February 18, 1891;

H. 361. To authorize the commissioners court of Tuskaloosa county to establish districts in which stock may be prevented from running at large ;

H. 624. To create a separate school district to be known as Headland school district in Henry county and to define the boundaries thereof ;

H. 760. To prohibit the selling, giving away or otherwise disposing of alcoholic, vinous or malt liquors, or other intoxicating drinks or beverages or fruits preserved in alcoholic liquors within one half-mile in every district from Mash's Mill in beat 6 in Crenshaw bounty, Alabama;

H. 332. To amend section 4796 of the code;

H. 597. For the relief of Cyrus Boykin, of Washington county;

H. 1090. For the relief of A. F. Wilson ;

H. 994. To prohibit the sale, giving away, delivering, transferring, parting with, procuring, or other disposition of spirituous, vinous or malt liquors or any intoxicating bitters within five miles of the Andalusia High School Baptist and Methodist Churches ;

H. 447. To incorporate the Alabama Penny Saving; and Loan Company;

H. 806. To amend section 3872 of the code of 1886 ;

H. 270. To prevent the running at large in the state of Alabama of rabid dogs, or dogs bitten or supposed to have been by a rabid dog;

H. 1032. To amend section 3 of an act entitled an: act to amend the caption and sections one (1) and eight (8) of an act entitled an act to prevent horses and mules, asses, cows, hogs, sheep, and goats from running uncontrolled on crops in beat No. five, and in beat No. eight in Butler county, and to prescribe a rule of damages and rules of protection in trial of cases under this act, approved February 5th. 1891;

H. 782. To incorporate the town of Kennedy in Lamar county, Alabama;

H. 663. To establish a separate school district to be known as the Hulaco school district in Cullman county, Alabama;

H. 1069. To regulate the fine and forfeiture fund of

Elmore county and to better provide for the payment of claims against the same ;

H. 737. For the relief of the representative of Gaylord B. dark, deceased;

H. 979. To incorporate the Citizens Hose Company, number 5, located in the city of Montgomery, Montgomery county, Alabama;

H. 725. To amend sections two (2), fifteen (15) and sixteen (16) of an act entitled an act to regulate Mobile harbor, approved February 28th, 1889;

H. 1051. To adopt a flag for the use of the State of Alabama;

H. 621. To authorize the court of county commissioners of Hale county to issue bonds for the purpose of paying off and discharging the old bonds of said county ;

H. 639. To establish a charter for the town of Pollard, Alabama;

H. 306. To amend sections 2, 3, 4, 5, 7 and 8 of an act to constitute the city of Gadsden a separate school district, approved February 28, 1889 ;

H. 387. For the preservation of birds in the county of Barbour;

H. 640. To create a separate school district in the county of Franklin to be called Newburg public school district, and to define the boundaries thereof ;

H. 482. To amend sections 8 and 10 of an act to create the board of education of the city of Birmingham, and to prescribe the powers and duties of the same ;

H. 531. To protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama in Madison county ;

n. 553. To incorporate the town of Camp Hill;

H. 167. To amend section 1 of an act entitled an act to establish a normal school for the education of white male and female teachers at Troy in Pike county, Alabama ;

H. 1193. To provide for the permanent location of the county site of Calhoun county by a vote of the qualified electors of said county.

J.H.MONTGOMERY,  
Chairman.

## SIGNING BILLS.

The speaker of the house in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills, whose titles are set out in the foregoing report of the committee on enrolled bills.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate non-concurs in the house amendment to the senate bill

s. 219. To regulate the sales of goods, wares and merchandise and other personal property, advertised as bankrupt, insolvent, insurance, assignee, trustee, testator, executor, administrator, receiver, auction, syndicate, railroad or other wreck, wholesale or manufacturers or closing out sale, or goods damaged by smoke, fire, water, or otherwise, and to provide for a license fee for such sales from such vendors,

And requests a committee of conference thereon.

Committee on part of the senate :

Messrs. Austill, Milner and Moody.

And the senate non-concurs in the house amendment to the senate bill,

s. 291. To regulate the amount of fees to be received by witnesses attending court in criminal cases, or before the grand jury, or any other criminal proceedings, so far as the same relates to the county of Tuskaloosa,

And requests a committee of conference thereon.

Committee on the part of the senate :

Messrs. Sayre, Moody and Samford;

And the senate has concurred in the house amendment to the senate amendment to the house bill,

H. 267. Prohibiting the sale, or giving away of any spirituous or malt liquors within one mile of Coffee Springs Camp Grounds, in Geneva county, within five miles of Bethabara church, in Tuskaloosa county, and within four miles of Neal's Chapel, in Macon county, and within three miles of Baptist church, Jenifer, Talladega county, Alabama, and within eight miles of Friendship Baptist church in Elmore county,

And the senate non-concurs in the house amendment to the senate bill,

s. 393. To regulate the fine and forfeiture fund and the hard labor fund of Dallas county.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The house receded from its amendment to s. 219 whose title is set out in the foregoing senate message.

Also receded from its amendment to s. 291 whose title is set out in the foregoing senate message.

The house acceded to the senate's request for a committee of conference on the disagreement of the two houses on house amendment to s. 291 whose title is set in the foregoing senate message.

Committee from the house, Messrs. Mayfield and Boykin.

And the house receded from its amendment to s. 393 whose title is set out in the foregoing senate message.

Mr. Smith of Mobile moved that s. 328 be taken from an adverse report, read a second time and placed on the calendar.

Lost.

Yeas 30, nays 39.

Yeas:

Messrs. Brooks, Burks, Cameron, Camp, Coleman, Cook of Talladega, Curtis, Deans, Fleming, Fletcher, Hill, Kelly, Kyle, Manning, Maples, Mastin, Meadows, Prowell, Reaves, Bobbins, Robinson, Rogers, Sanford, Screws, Smith of Autauga, Smith of Mobile, Summers, Taylor, Tuck, Turner, Wood—30.

Nays:

Messrs. Speaker, Barren, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Cole, Cook of Wilcox, Dale, Forman, Franklin, Fulton, Gains, Gibbons, Grant, Graves, Harris, Hearn, Jackson, John, Kennedy, Langley, Lipscomb, Mastin, Mahan, McClusky, Perry, Rabb, Rand, Roach, Rogers, Savage, Seale, Smith of Butler, Smith of Greene, Williams of Bullock, Williams of Henry—39.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bills, your signature thereto is requested :

- s. 492. Joint resolution to the senators and members in United States congress asking donation of mineral lands in this state for support of agricultural schools;
- s. 103. To create a lien in favor of the owners of public ginneries,
- s. 462. To provide for the assessment and collection of taxes due after January, 1895, on all property situated heretofore in the counties of Lawrence and Colbert, but made parts of Colbert and Franklin counties by an act entitled an act to change the boundary lines of the counties of Colbert, Franklin and Lawrence, approved February, 1895 ;
- s. 225. To establish the Pintlala School District in Lowndes county;
- s. 298. To incorporate the Madison High School in Madison county, Alabama ;
- s. 349. To prohibit stock from running at large on lands owned by T. H. Bradford in Marengo county ;
- s. 259. For the relief of persons who have purchased lands from the state which lands were bid off for the state at tax sale, and from any cause were not subject to sale by the state ;
- s. 345. To incorporate the Southern Home Insurance. Company and to define its rights, powers and franchises;
- s. 453. For the relief of M. F<sup>r</sup>. Beck, of Lee county, Alabama;
- s. 330. For the relief of T. S, Moore, of Baldwin county, Alabama ;
- s. 336. For the relief of R. S. McWhorter, late tax collector of Lowndes county ;
- s. 173. To amend an act entitled an act to incorporate the city of Columbia, in the county of Henry, approved February 21st, 1893;
- s. 294. To fix the time of holding the chancery courts in the counties of Pike, Coffee and Geneva ;
- s. 434. To fix the time and to define the terms for holding the circuit court, in the several counties of the tenth judicial circuit;

s. 315. To amend section 3 of an act, entitled an act to create the eleventh judicial circuit of the State of Alabama, to fix the time of holding circuit court therein, and to provide for the appointment of a judge for the said circuit and the election of a solicitor for said circuit, approved December 7th, 1894;

s. 429. To fix the time for holding circuit court in the counties of Clay and Cleburne ;

s. 228. To regulate the practice and proceedings in civil cases in the circuit courts of Morgan and Madison counties-

W. L. CLAY,  
Secretary.

#### SIGNING BILLS.

The speaker of the house in the presence of the house immediately after their titles had been publicly read by the clerk signed the bills whose titles are set out in the foregoing senate message.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the house amendment to the bills,

s. 96. To regulate the practice and proceedings in civil cases in the circuit courts of Colbert and Lauderdale counties in this state, and in the supreme court on appeals from judgment rendered in such cases ;

s. 435. To provide for the holding of the circuit courts in the second judicial circuit;

s. 477. To fix the time of holding the circuit courts in the counties composing the third judicial circuit.

W. L. CLAY,  
Secretary.

Mr. Davis submitted

#### REPORT OF CONFERENCE COMMITTEE.

Mr. Speaker:

Your committee of conference to whom was referred the disagreeing vote of the two houses, on house bill 873,

entitled "a bill to be entitled an act to consolidate and adjust the bonded debt of the State of Alabama," have had the same under consideration and direct us to report to you as follows :

First. The committee recommended that the substitute adopted as part of the bill be amended so as to strike out the word "twelve" where it occurs in the first line of the substitute and insert the word "three" in lieu thereof.

Second. The committee further recommends that the substitute as part of the bill be amended by adding these words at the end of the substitute, viz : "And if reissued they shall only begin to bear interest when they are paid out again after all interest accrued thereon has been stamped out by the treasurer.

Third. And the committee further recommends that the amendment of the sixth line of section one of the bill be amended so as to read "payable in gold or such other lawful currency of the United States," and by striking out of said amendment the words, "in the coin of the present weight and fineness."

JOHN T. MILNER,  
W. BREWER,  
Committee on part of senate.  
W. C. DAVIS,  
LESLIE E. BROOKS,  
Committee on part of the house.

The house concurred in the foregoing report of the conference committee:

Yeas 42, nays, 41.

Yeas :

Messrs. Speaker, Brooks, Brown of Russell, Calhoun, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Fletcher, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Kennedy, Knight, Lipscomb, Maples, Mayfield, Meador, Mahan, McClusky, O'Brien, Ott, Prowell, Rand, Roach, Robinson, Rowe, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Turner, Whitten, Williams of Bullock, Williams of Henry, Wood—42,

Nays:

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Burks, Cameron, Camp,



Cole, Coleman, Cook of Talladega, Deans, Ellis, Ford, Forman, Franklin, Grains, Harris, Hearn, Hill, Jackson, John, Kelly, Kyle, Langley, Manning, Mastin, Meadows, Perry, Rabb, Reaves, Robbins, Sanford, Savage, Smith of Butler, Summers, Taylor, Tuck, Wheelless—41.

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NIGHT SESSION.

The house re-assembled at 7:30 o'clock p. m.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the report of the committee of conference on the disagreement of the two houses on the house amendments to the senate bill, s. 154. To regulate the management of state and county convicts.

W. L. CLAY,  
Secretary.

Mr. Knight submitted the following :

REPORT OF COMMITTEE OF CONFERENCE.

Mr. Speaker:

The committee of conference to whom was referred the disagreeing votes of the two houses as to the house amendments to the bill,

s. 154. To regulate the management of state and county convicts,

Have had the same under consideration, and beg leave to report as follows :

We recommend that the house recede from its first amendment. We recommend in lieu of house amendment No. 2, the following. The salary of the chief clerk of the board shall be \$1,500, and of the assistant clerk \$1,200 per annum, and that the senate concur in the house amendment number three.

W. J. SANFORD,  
A. D. SAYRE,  
JNO. Y. KILPATRICK,  
Committee on part of the senate.

THOMAS E. KNIGHT,  
THOS. H. SMITH,  
MAC. A. SMITH,  
Committee on part of the house.

The house concurred in the foregoing report from the conference committee—yeas 47, nays 10.

Yeas :

Messrs. Speaker, Banks, Beasley, Boykin, Brown of Russell, Burns, Calhoun, Camp, Coleman, Cook of Wilcox, Dale, Davis, Fletcher, Franklin, Fulton, Gains, Gewin, Gibbons, Graves, Hill, Kelly, Knight, Kyle, Lipscomb, Maples, Mastin, Mayfield, McCorvey, O'Brien, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Whitten, Williams of Bullock, Williams of Henry, Wood—47.

Nays :

Messrs. Beeson, Brown of Conecuh, Burks, Cole, Deans, Ewing, Hearn, John, Langley, Mahan—10.

#### BILLS ON THIRD READING.

s. 332. To make appropriations for additional clerical help in the state auditors' office,

Was read a third time at length and passed—yeas 42, nays 12.

Yeas:

Messrs. Speaker, Barren, Boykin, Brown of Russell, Calhoun, Camp, Cook of Wilcox, Dale, Davis, Fleming, Fletcher, Fulton, Gewin, Gibbons, John, Kelly, Kyle, Lipscomb, Manning, Maples, Mayfield, Mahan, O'Brien, Prowell, Reaves, Roach, Robinson, Rogers, Rowe, Sanford, Screws, Smith of Autauga, Smith of Butler, Smith Greene, Smith of Mobile, Taylor, Ward, Whitten, Williams of Bullock, Williams of Henry, Wood—42.

Nays :

Messrs. Beasley, Beeson, Bellinger, Brown of Conecuh, Burks, Cole, Gains, Graves, Harris, Hearn, Mastin, Summers—12.

s. 469. To amend section 2 of an act to prevent stock from running at large in certain parts of Marengo county,

Was read a third time at length and passed—yeas 54, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Cook of Wilcox, Dale, Davis, Fleming, Fletcher, Forman, Fulton, Gains, Gewin, Gibbons, Graves, Harris, Jackson, John, Kelly, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Mahan, O'Brien, Prowell, Rand, Reaves, Roach, Robinson, Rowe, Sanford, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Ward, Whitten, Williams of Bullock, Williams of Henry, Wood—54.

s.347. To incorporate the Planters Warehouse and Commission Company,

Was read a third time at length, and passed—yeas 55, nays 0.

Yeas :

Messrs. Speaker, Banks, Beasley, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burns, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Dale, Davis, Fleming, Fletcher, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Graves, Jackson, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Mahan, O'Brien, Ott, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Whitten, Williams of Henry, Wood—55.

s. 373. To authorize and direct the judge of the probate court of Calhoun county to establish districts in said county in which stock may be prevented from running at large, and to regulate such districts,

Was amended, read a third time at length, and passed—yeas 57, nays 1.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Fielding, Fleming, Fletcher, Forman, Franklin, Gains, Gewin, Gibbons, Graves, Harris, Jackson, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples,

Mayfield, Meador, Meadows, Mahan, O'Brien, Ott, Prowell, Rabb, Rand, Reaves, Roach, Robinson, Rogers, Rowe, Sanford, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Ward, Whitten, Williams-of Bullock, Williams of Henry, Wood—57.

Nay : Mr. Scarborough.

s. 450. To repeal an act entitled an act to establish a separate school district in Jackson county, to be known as Pleasant Grove district out of part of township five, range six, east, approved February 21, 1887, and an act amendatory thereof approved February 18, 1891, and to provide for the election of township trustees in said township five, range six,

Was read a third time at length, and passed—yeas 55, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Davis, Fielding, Fleming, Fletcher, Forman, Fulton, Gewin, Gibbons, Graves, Harris, Jackson, John, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Montgomery, O'Brien, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Ward, Whitten, Williams of Bullock Williams of Henry, Wood—55.

s. 250. To amend section ten of an act entitled an act to constitute the city of Anniston a separate school district and to provide a board of education therefor, approved January 28, 1891,

Was amended, read a third time at length, and passed—yeas 55, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deans, Fielding, Fleming, Fletcher, Forman, Franklin, Fulton, Gewin, Gibbons, Graves, Harris, Hill, Jackson, John, Kelly, Langley, Lipscomb, Maples, Mastin, Mayfield, Meadows, Mahan, O'Brien, Prowell, Rabb, Rand, Roach, Robinson, Rowe, Routon, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith

of Greene, Smith of Mobile, Summers, Taylor, Ward, Whitten, Williams of Bullock., Williams of Henry, Wood—55.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the report of the committee of conference on the disagreement of the two houses on the senate amendments to the house,

H. 873. To consolidate and adjust the bonded debt of the state of Alabama.

W. L. CLAY,  
Secretary.

s. 362. To prevent deception in the manufacture and sale of imitation butter,

Was read a third time at length and passed—yeas 55, nays 3.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Cook of Wilcox, Davis, Deans, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graves, Harris, Hill, Jackson, John, Knight, Lipscomb, Maples, Mastin, Mahan, O'Brien, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Sanford, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Ward, Whitten, Williams of Bullock, Williams of Henry, Wood—55.

Nays:

Messrs. Coleman, Kelly, Mayfield.

s. 446. To authorize the probate judge and county commissioners of Randolph county to lay off beat number three and beat number six, and all that part of township eighteen, range ten (10), that lies west of the Big Tallapoosa river, into stock law districts, and to authorize elections therein to prohibit stock from running at large in said districts,

Was read a third time at length and passed—yeas 61, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin,

Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Cook of Wilcox, Curtis, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Fuller, Fulton, Gains, Gibbons, Graham, Graves, Hearn, Jackson, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Maples, Mayfield, Mahan, Mills, O'Brien, Prowell, Rand, Reaves, Roach, Robbing, Robinson, Rowe, Routon, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Ward, Whitten, Williams of Bullock, Williams of Henry, Wood—61.

s. 402. To authorize the city council of Montgomery to issue bonds for the purpose of paving or otherwise-improving the streets and sidewalks, or, either, of the city of Montgomery;

Mr. Screws offered an amendment which was adopted ,  
And the bill was read a third time at length and passed—yeas 60, nays 0.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Boykin, Brooks, Brown of Conecuh, Burks, Calhoun, Cameron, Camp, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fleming, Fletcher, Ford, Forman, Franklin, Fulton, Gewin, Gibbons, Grant, Graves, Hill, Jackson, John, Kelly, Knight, Kyle, Lipscomb, Manning, Maples, Mayfield, Meador, Meadows, Mahan, McClusky, O'Brien, Ott, Reaves, Roach, Robbins, Robinson, Rowe, Sanford, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Ward, Whitten, Williams of Bullock, Williams of Henry, Wood—60.

s. 136. To regulate the holding of municipal elections in the city of Tuscaloosa, Alabama,

Was read a third time at length and passed—yeas 56, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cole, Cook of Talladega, Cook of Wilcox, Dale, Deans, Ellis, Fleming, Fletcher, Forman, Franklin, Gains, Gibbons, Graves, Jackson, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Meador, Mahan, O'Brien, Ott, Perry, Prowell, Rand, Reaves, Robbins, Robinson, Rowe, Sanford, Scarborough, Smith

of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Ward, Whitten, Williams of Bullock, Williams of Henry, Wood—56.

s. 431. For the relief of T. J. Middlebrooks of Lowndes county,

Was read a third time, at length, and passed—yeas 58, nays 0.

Yeas :

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Cook of Tallagega, Cook of Wilcox, Dale, Davis, Fleming, Fletcher, Ford, Forman, Fulton, Gewin, Gibbons, Graves, Harris, Hearn, Hill, Jackson, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Mahan, McCorvey, O'Brien, Rand, Roach, Robbins, Robinson, Rowe, Sanford, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Taylor, Whitten, Williams of Bullock, Williams of Henry, Wood—58.

s. 473. To regulate the fine and forfeiture fund of Butler county, and the disposal of moneys arising from fines, forfeitures and convict labor in said county,

Was read a third time, at length, and passed—yeas 57, nays 0.

Yeas :

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Coleman, Cook of Talladega, Cook of Wilcox, Davis, Deans, Fielding, Fleming, Fletcher, Franklin, Fulton, Gains, Gewin, Gibbons, Graves, Harris, Hearn, Jackson, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Mahan, McCorvey, McQueen, O'Brien, Prowell, Reaves, Roach, Robbins, Robinson, Rowe, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Ward, Whitten, Williams of Bullock, Williams of Henry, Wood—57.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended as therein shown, and as amended, has passed the house bill

H. 756. To amend the revenue laws of the state of Alabama.

W. L. CLAY,  
Secretary.

SENATE MESSAGE.

On motion of Mr. John the bill H. 756, and amendments were referred to the committee on ways and means.

s. 352. To incorporate the town of Newton in the county of Dale.

Mr. Williams offered an amendment which was adopted.

And the bill was read a third time and passed—yeas 58, nays 2.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Coneuch, Brown of Russell, Burks, Calhoun, Camp, Cole, Coleman, Cook of Wilcox, Dale, Davis, Ellis, Fielding, Fleming, Fletcher, Ford, Franklin, Fulton, Gains, Gibbons, Graves, Harris, Hearn, Hill, Jackson, John, Langley, Lipscomb, Maples, Mayfield, Meador, Mahan, McCorvey, O'Brien, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Sanford, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Ward, Whitten, Williams of Bullock, Williams of Henry, Wood—58.

s. 278. To incorporate the Young Men's Christian Association of Mobile, and to define the powers thereof,

Was read a third time, at length, and passed—yeas 58, nays 0.

Yeas:

Messrs. Speaker, Barren, Beeson, Bellinger, Boykin, Brown of Coneuch, Brown of Russell, Burks, Calhoun, Camp, Coleman, Cook of Talladega, Fielding, Fleming, Fletcher, Ford, Forman, Fulton, Gains, Gewin, Gibbons, Graves, Harris, Hearn, Jackson, John, Kelly, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mahan, McQueen, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of



Mobile, Summers, Tayler, Ward, Whitten, Williams of Bullock, Williams of Henny, Wood—58.

s. 440. To amend an act entitled an act to incorporate the town of Moultonin Lawrence county, Alabama, approved February 14th, 1891,

Was read a third time, at length, and passed—yeas 58, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Ellis, Fleming, Ford, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Graves, Harris, Hearn, Jcksona, John, Kennedy, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Meadows, Mahan, Prowell, Reaves, Roach, Robbins, Robinson, Rowe, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Taylor, Whitten, Williams of Bullock, Williams of Henry, Wood—58.

s. 486. To incorporate the Chicago, Florence and Gulf Railroad Company, and to further the construction of the same,

Was read a third time at length and passed—yeas 57, nay 0.

Yeas :

Mess.s. Speaker, Beaaley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Coleman, Cook of Wilcox, Dale, Davis, Ellis, Fleming, Fletcher, Forman, Franklin, Gains, Graham, Graves, Harris, Hearn, Jackson, Jinks, John, Kennedy, Langley, Lipscomb, Maples, Mastin, Mayfield, Meador, Meadows, O'Brien, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Scarborough, Screws, Smith of Autauga, Smith of Greene, Smith of Mobile, Summers, Taylor, Whitten, Williams of Bullock, Williams of Henry, Wood—57.

s. 21. To provide for holding elections for the adoption of stock law in Cleburne county, and to provide for carrying it into effect when it shall be adopted.

Mr. Taylor offered an amendment, which was adopted, and the bill

Was read a third time at length and passed —yeas 53, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Camp, Cole, Coleman, Cook of Talladega, Cook of Wilcox, Davis, Deans, Ellis, Ewing, Fleming, Fletcher, Forman, Franklin, Fulton, Gewin, Gibbons, Graves, Harris, Hearn, Kelly, Kyle, Langley, Lipscomb, Maples, Mayfield, O'Brien, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Taylor, Whitten, Williams of Bullock, Williams of Henry—53.

s. 218. For the protection of fish in the waters of Dog river,

Was read a third time, at length, and passed—yeas 53, nays 0.

Yeas :

Messrs. Speaker, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Davis, Ellis, Ewing, Fleming, Fletcher, Forman, Franklin, Fulton, Gewin, Gibbons, Graves, Hearn, Jackson, John, Kennedy, Kyle, Langley, Lipscomb, Maples, Mastin, Mahan, O'Brien, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Sanford, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Whitten, Williams of Bullock, Williams of Henry, Wood—53.

s. 285. Relative to bonds, undertakings, recognizances, guarantees, and other obligations required or permitted to be made, given, tendered or filed with surety or sureties, and to the acceptance as surety or guarantor thereupon, of companies qualified to act as such.

The following amendment was adopted :

Amend by striking out section 4 of the bill,

Was read a third time at length and passed—yeas 56, nays 0.

Yeas :

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Coleman, Cook of Wilcox, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Ford, Forman, Gains, Graves, Hearn, Jackson, John, Kelly, Ken-

nedy, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, McCorvey, O'Brien, Prowell, Rabb, Rand, Reaves, Roach, Robbing, Robinson, Rowe, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Whitten, Williams of Bullock, Williams of Henry, Wood—56.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended, and as amended, has passed the following house bills :

H. 704. To prevent in certain cases the sale, exchange and transportation of cotton in the seed in the county of Lee, and of cotton in the seed produced in said county ;

H. 973. To authorize riparian proprietors who have erected or maintained piles, booms, bulkheads, and other structures in front of their property, to collect compensation for the use thereof by others ;

H. 1140. To confer chancery jurisdiction on the circuit courts of Morgan and Madison counties, and the circuit court of Jefferson county, holden at Bessemer in said county;

H. 679. For the relief of justices of the peace, notaries public exercising the same jurisdiction and the same power of justices of the peace and constables of Greene and Bullock counties, Alabama,

And has concurred in the house amendments to the senate bills, as follows :

s. 15. To amend an act entitled an act to establish a city court for the county of Talladega, approved February 23, 1893;

s. 402. To authorize the city council of Montgomery to issue bonds for the purpose of paving or otherwise improving the streets and sidewalks, or either, of the city of Montgomery;

s. 352. To incorporate the town of Newton, in the county of Henry,

And has passed the following house bills :

H. 608. To establish a new charter for the city of Sheffield, in the county of Colbert, State of Alabama, approved December 12th, 1892;

H. 677. For the relief of W. J. Ward, of Geneva county, Alabama;

H. 920. To authorize Susan M. Daniel, a minor, to sell and convey her lands situated in Jackson county, Alabama;

H. 807. To incorporate the Autauga Manufacturing Company, in Autauga county, Alabama;

H. 1024. To amend an act approved February 2, 1893, to authorize the mayor and council of the town of Union Springs to issue bonds of said town for an amount not exceeding thirty thousand dollars for the purpose of erecting and maintaining a system of water works and a system of electric lights, one or both in said town;

H. 883. To amend section 4 of an act to incorporate the city of Sylacauga, approved February 26<sup>±</sup>h, 1887;

H. 794. To amend section six of an act entitled an act to prevent stock from running at large in Pike county, approved December 9, 1890.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The house concurred in the senate amendment to H. 973 whose title is set out in the foregoing senate message.

Yeas 53, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Coleman, Cook of Wilcox, Davis, Deans, Ellis, Fleming, Fletcher, Ford, Fulton, Gewin, Gibbons, Graves, John, Kelly, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Meadows, Mahan, O'Brien, Prowell, Reaves, Roach, Robbins, Robinson, Rowe, Sanford, Scarborough, Screws, Smith of- Autauga, Smith of Butler, Smith of Greene, Smith of Mobile,, Summers, Taylor, Turner, Ward, Whitten, Williams of Bullock, Wood  
--53.

The house concurred in the senate amendment to H.

1140 whose title is set out in the foregoing senate message.

Yeas 53, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger Boykin, Brown of Conecuh, Brown of Russell, Burns, Camp, Coleman, Cook of Wilcox, Davis, Deans, Ellis, Fletcher, Ford, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Graves, John, Kelly, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Meadows, Mahan, O'Brien, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Ward, Whitten, Williams of Bullock, Wood—53.

The house concurred in the senate amendment to H. 679, whose title is set out in the foregoing senate message.

Yeas 55, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Campy Coleman, Cook of Wilcox, Dale, Davis, Deans, Ellis, Fleming, Fletcher, Forman, Fulton, Gains, Gewin, Gibbons, Graves, Harris, Hearn, John, Kelly, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mahan, O'Brien, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Ward, Whitten, Williams of Bullock, Williams of Henry, Wood—55.

On motion of Mr. Jackson the consideration of senate amendment to H. 704 was postponed till to-morrow.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended as therein shown, and, as amended, has passed the following house bills :

H. 271. To amend sections 1, 2, 15, 16, 19, 20 and 21 of an act to create the office of inspector of mines, and to prescribe the duties and powers of such office, approved February 16, 1893 ;

H. 1003. To amend an act to regulate the disposition

and management of a bequest made by James Wallace, late of Lawrence county, Alabama, for the benefit of free public schools in township seven, range nine in said county, approved December 11, 1873 ;

And has passed the following house bills :

H . 744. To amend an act to incorporate the city of Tuscaloosa, approved March 12th, 1873, by the additions of sections 99-100 and 101 in reference to the levy and collection of a tax on certain persons, businesses and vocations within the corporate limits of said city, and the licensing, restraining and regulating of the same, and to provide punishment for the doing of such businesses without having taken' out a license or paid such tax;

H. 126. To require deeds of assignment for the benefit of creditors to be filed and recorded in the office of the probate judge;

H. 281. To provide for the appointment of a county solicitor for Washington county, prescribe his duties, fees and term of office, to fill vacancies in the office, and the appointment of county solicitor pro tem. and their fees;

H. 1211. To fix the time of holding the chancery courts in the northwestern chancery division, and regulate the proceedings therein ;

H. 971. For the relief of H. L. Martin, register in chancery for Macon county, Alabama ;

H. 349. To amend an act entitled an act to amend sub-division 31 of section 629 of the code of Alabama, approved February 16, 1894;

H . 880. Providing, for the payment of the costs in certain cases, where defendants were convicted of felonies in the city court of Talladega, and after serving part of their respective terms in the penitentiary were released;

H. 540. To authorize the city of Eufaula to construct and maintain a system of sanitary sewerage, to issue bonds for the purpose of constructing same, and to regulate connections with the said sewerage system ;

H. 1088. To create a lien in favor of the owners or keepers of pastures for the payment of their charges for pasturing stock in the counties of Wilcox and Dallas.

W. L. CLAY,  
Secretary.

## SENATE MESSAGE.

The house concurred in the senate amendment to H. 271 whose title is set out in the foregoing senate message.

Yeas 55, nays 0.

Yeas :

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Camp, Cole, Coleman, Cook of Wilcox, Dale, Davis, Deans, Ellis, Fletcher, Ford, Franklin, Fuller, Fulton, Gains, Gibbons, Graves, Harris Hearn, Jinks, John, Kelly, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Meadows, O'Brien, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Ward, Whitten, Williams of Henry, Wood—55.

The house concurred in the senate amendment to H. 1003, whose title is set out in the forgoing senate message.

Yeas 56, nay 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Camp, Cole, Coleman, Cook of Wilcox, Dale, Davis, Deans, Ellis, Fielding, Fleming, Fletcher, Fulton, Gains Gewin, Gibbons, Graves, Harris, Hearn, Hill, Jackson, Kelly, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Meadows Mahan, O'Brien, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Ward, Whitten, Wood—56.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bills, your signature thereto is requested :

s. 475. To permit the tax collector of Lawrence county to continue to reside in that part of said county which was attached to the county of Colbert, by an act passed at the present session of the general assembly, changing the boundary lines between the counties of

Franklin, Colbert and Lawrence, to provide for the exercise of jurisdiction and authority by precinct officers in the territory transferred by said act, and to provide for the determination of pending suits, and judicial proceedings arising in said territory ;

s. 459. To amend section 5, to repeal section 35, and section 36, and to add section 49 to an act entitled an act to further regulate elections in the state of Alabama, approved February 21st, 1893 ;

s. 393. To regulate the fine and forfeiture fund, and the hard labor fund of Dallas county;

s. 219. To regulate the sale of goods, wares, merchandise and other personal property advertised as bankrupt, insolvent, insurance, assignee, trustee, testator, executor, administrator, receiver, auction, syndicate, railroad or other wreck, wholesale or manufacturers or closing out sale, or goods damaged by smoke, fire, water, or otherwise and to provide for a license fee for such sales from such vendors;

s. 224. To amend sections 3, 5, 6, 7, 10, 11, 12, 15, 17, 18, 24, 27, 36, 37, 38, 42, 52, 53, 54, 55, 57, 59, 60, 61, 62, 65, 66, 71, 73, 77, 78, 79, 81, 83, 84, 85 and 96, and to repeal section 82 of an act to establish a new charter for the city of Montgomery, approved February 21st, 1893;

s. 435. To provide for the holding of the circuit courts in the second judicial circuit;

s. 477. To fix the time of holding the circuit courts in the counties composing the first judicial circuit;

s. 312. To prevent hogs, sheep and goats from running at large in certain parts of Limestone county, and to repeal an act approved February 1st, 1893, entitled an act to authorize and direct the commissioners court of Limestone county to establish districts in said county in which hogs, sheep and goats may be prevented from running at large.

W. L. CLAY,  
Secretary.

#### SIGNING BILLS.

The speaker of the house in the presence of the house immediately after their titles had been publicly read by



the clerk, signed the bills whose titles are set out in the foregoing senate message.

STATE OF ALABAMA,  
EXECUTIVE DEPARTMENT,  
GOVERNOR'S OFFICE,  
MONTGOMERY, February 15, 1895.

To the House of Representatives:

House bill 821 entitled "an act to provide for the calling and holding of meetings of stockholders of railroad corporations in certain cases and regulating the voting, the election of officers and the transaction of other business at such meetings" is a measure of vast importance. As to the policy of the bill I do not conceive it to be my duty to express an opinion. It is a question upon which the members of the general assembly honestly differ. I think that my duty confines me to a careful examination into the constitutionality of the measure. If it be constitutional it is my official duty to approve it. If its constitutionality be merely doubtful, it is likewise my duty to approve it. While it is general in its provisions it is admitted by its advocates and opponents who have submitted to me briefs on both sides of the question that its main purpose is to remedy a supposed wrong as to a particular case.

As to the contention of those opposed to the bill that its subject or purpose is not clearly expressed in its title, I have a doubt, but I am inclined to think this objection well taken.

It is said by its advocates that it applies alone to cases where alien foreign corporations own a majority of the stock in railroad corporations chartered under the laws of Alabama and its purpose is to prescribe conditions upon which such foreign corporations or its stockholders shall exercise voting power, conduct elections and transact business in meetings of stockholders of the domestic corporations in Alabama.

It is further contended that "if the foreign corporation owns the stock of the domestic corporation it can only exercise the power of voting through agents of its own appointment. This is usually done through officers or directors who hold the power by the vote and will of

a majority of the stockholders. The provisions of this bill merely transfers the agency or proxy to cast its vote from the directors to the stockholders themselves. In the first instance, the will of the majority so far as the foreign corporation is concerned, directs and controls the way in which the vote shall be cast; and where the stockholders exercise the agency and cast the vote themselves, the same result is produced—since a majority of the stockholders cast the vote in the same way." It is further contended that "if it be that restrictions should not be put upon foreign corporations which do not apply alike to domestic ones, the answer is that this is merely a question of policy and not of right." To this argument I can not give my assent. It is a well settled legal principle in the law of corporations that the right of voting is an individual property right entitled to judicial protection. In "Smith's Leading Cases" it is said that if one man "has a right to vote \* \* \* and another has excluded him from it, nobody can say that the defendant has done well; then he must have done ill, for he has deprived the plaintiff of his right."

"If the plaintiff has a right he must of necessity have the means to vindicate and maintain it and a remedy if he is injured in the exercise and enforcement of it, and, indeed, it is a vain thing to imagine a right without a remedy."

The authorities generally set forth that the right of voting in a corporation is a right of substantial value—that it is property—and any change of the law by which that right will be impaired is not tolerated by our law and constitution. It is contended in favor of the bill that "the state has an absolute right to exclude the alien foreign corporation, or to impose such conditions as it pleases upon the holding of property or the exercise of its corporate function in its borders." Justice Field of the supreme court is cited as holding, in a recent case, that "the only limitation upon this power of the state to exclude a foreign corporation from doing business within its limits or hiring officers for that purpose, or to exact conditions for allowing the corporation to do business or hire officers there, arises where the corporation is in the employ of the federal government, or where its business is strictly commerce, interstate or foreign. The control

of such commerce being in the federal government, is not to be restricted by state authority." 125 U. S. Reports, pages 181 to 190. It is quite true that the federal government under the constitution, has the exclusive right to the regulation of commerce and no state has any power to interfere with or restrict it. While the law cited by Justice Field is quite correct as applicable to the case he was considering, it does not follow that there is no restriction or limitation upon the power of the state to exclude, or to deny to a foreign corporation the right to the protection of its property acquired in and under the laws of the state.

Under the common law an alien can acquire a vested right and complete ownership in and to personal property, and a right and title to real estate without the aid of a statute, but the real estate subject to be denounced and forfeited after office found.

In volume 2 Wharton's International Digest, section 20, it is declared that "there is no principle in the law of nations more firmly held than that which entitles the property of strangers within the jurisdiction of the country to the protection of the sovereign by all the efforts in its power." That is the settled policy of all nations.

The supreme court of the United States has declared that the property of corporations chartered by foreign powers and consisting of alien members is entitled to the same protection as the property of an individual alien. See the case of the Society for the Propagation of the Gospel vs. Newhaven, 8 Whiting, 464.

But there is no use of further citations of the common law, or the law of nations upon this subject. The rights of aliens in Alabama are clearly defined, recognized and protected by statute. An act of the general assembly, approved February 26th, 1875, which is now incorporated in the code as section 1914, reads as follows : "An alien resident or non-resident may take and hold property, real and personal in this state, either by purchase, descent or devise as a native citizen."

Shares of stock in a corporation created by the laws of Alabama are beyond question personal property. The Code, section 1669, expressly so declares. An alien may therefore take and hold such shares of stock and may dispose of them by sale or otherwise as a native citizen. This statute eliminates from this controversy all question

as to the rights of aliens under our law and any disputation that stock in railroads is personal property. The supreme court of the United States has declared these propositions well settled law :

First. That the law in existence at the time and the place of the making of a contract and where it is to be performed enter into and is one of its terms and must govern its validity, construction and the remedy for its enforcement. These are inseparable parts of an obligation, which is guaranteed by the constitution.

Second. The obligation of a contract is the law which binds the parties to perform their agreement.

Third. Any impairment of the obligation—the degree of impairment is immaterial is within the prohibition of the constitution. The state may change the remedy for the enforcement of the contract, provided that no substantial rights secured by the contract is impaired ; but whenever such a result would be produced by legislation, though intended as remedial merely, to that extent the act is void.

The state can no more, under the plea of remedial legislation, impair the efficacy of a contract than in any other way. The constitution shields the contract in all its terms from an assault from any direction; hence the expression, "the sacredness of contracts."

Charters of incorporations, or a grant of corporate existence from the state, fixes the measure of these propositions , or contracts :

First. Between the state and the corporation, as such.

Second. Between the state and the corporators.

Third. Between the corporators, as among themselves.

Our statute declares that annual meetings of stockholders are required to be held, and a majority of stock shall be represented to constitute a quorum, and each stockholder shall be entitled to one vote for each share of stock held by him. The supreme court of Massachusetts defines a corporation as follows : "The corporation itself is regarded as a distinct person and its property is legally vested in itself and not in its stockholders. As to this they cannot, even by joining together unanimously convey a title, or maintain an action at law for its possession or for damages done to it. The artificial person

called a corporation must manage its affairs in its own way as exclusively as a natural person manages his property and business. The officers chosen by a vote of the stockholders are not their agents but the agents of the corporation and they are accountable to it alone." *Peabody vs. Flint*, 6 *Alien*, page 55. A stockholder as such has no distinct ownership of the corporate property and all the rights he can assert are derivative and must be asserted by or through the corporation, except as to the right to draw dividends declared, to vote stock in the management of the corporation and in the event of its dissolution to receive his pro rata share of the assets. In many respects they stand to it as the heir at law does during the life of the persons from whom the heir inherits.

Section 1869 of the Code makes shares or an interest in the stock of private corporations personal property transferable on the books of the corporation in such a manner as is required by its by-laws and by the rules and regulations of the corporation. When a person becomes a stockholder of a corporation under the general statutes of Alabama, either by subscription to stock, or by the purchase of shares therein, he becomes under the law, entitled to one vote for each share of stock owned or held by him. This law being in force at the time of his purchase enters into the contract and becomes a part of the obligation of the contract and measure of his rights therein. Any change and impairment of these rights by statute is forbidden by the Constitutions, both State and United States. The right to use, enjoy and control things which are capable of dominion constitutes property. The right of the stockholder to vote his stock according to the contract is one of the highest and most valuable rights pertaining to the ownership of stock in any corporation. The stock is valuable, as a measure of dividends when declared, and the interest in the assets of the corporation when dissolved. The welfare, value and profits of the corporation which owns another corporation, or stock therein, may depend largely upon the management of the, latter. The value of this stock may be destroyed by a change in the management of the corporation. The right of every stockholder to vote the stock held by him

as to who shall conduct the business of the corporation is a most vital property right. Can it be said that such a right remains in force if the Legislature can say that this right of voting secured by the original charter, or contract, shall be denied or impaired while others who stand to it in the relation of heir at law, while the proprietor corporation is yet in being, shall vote its stock and exercise its will and manage its property? The question answers itself in the negative.

In 1876 the Alabama and Chattanooga Railroad, a corporation under the laws of Alabama, which had received an endorsement of its bonds by the state to the extent of sixteen thousand dollars per mile of road, and which were owned by people in England, was in an insolvent condition and so was the State. A debt settlement was made by which the State, to procure its release from the obligations, issued and placed in the hands of the bondholders a million of dollars of our class "C" bonds. The road was sold by a decree of the United States court and the property purchased by an English syndicate or company. These foreign holders of our bonds, and owners of this property, obtained a charter in 1877, under the general statutes of Alabama and changed the name to the Alabama Great Southern Railroad. These aliens having obtained their charter, under our laws, are entitled to the protection of their rights and property the same as native citizens. It is not therefore competent for the General Assembly to change in any respect whatever, the rights of this alien corporation or the shareholders therein, and confer upon citizens of this country, greater rights than they acquired under their contract of incorporation. *Smith vs. South and North Railroad Company*, 75 Alabama 450.

What the legislature can not do directly it can not do indirectly. If the bill under consideration becomes a law, it would be a declaration that corporations of this state, or a sister state, which own stock in Alabama corporations may vote their shares therein, while the alien corporation, though organized under the laws of Alabama, would have a different rule prescribed limiting it or denying its stockholders the rights it obtained under its charter, and thus discriminating in favor of a citizen against the rights of property of foreigners, which is in my opinion in violation of our constitution.

I am therefore constrained to return the bill to your house, in which it originated without my approval.

WM. C. OATES,  
Governor.

After the reading of the above message, the house proceeded to reconsider the bill

H. 821. To provide for the calling and holding of meetings of stockholders of railroad corporations in certain cases and regulating the voting, the election of officers, and the transaction of other business at such meetings.

The question being, shall the bill pass, notwithstanding the governor's veto,

Mr. Davis moved to postpone the further consideration of the question till Monday next.

Mr. O'Brien moved to table Mr. Davis' motion.

Lost.

Yeas 29, nays, 30.

Yeas:

Messrs. Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Coleman, Cook of Wilcox, Fleming, Fletcher, Forman, Fulton, Gewin, Gibbons, Graves, John, Kyle, Lipscomb, Maples, Mahan, O'Brien, Rand, Robbing, Rowe, Smith of Greene, Smith, of Mobile, Summers, Ward, Williams of Bullock, Wood—29.

Nays:

Messrs. Speaker, Beasley, Calhoun, Camp, Cole, Dale, Davis, Deans, Franklin, Gains, Harris, Hearn, Jackson, Kelly, Knight, Langley, Manning, Mastin, Mayfield, Prowell, Reaves, Roach, Robinson, Routon, Screws, Smith of Autauga, Smith of Butler, Taylor, Whitten, Williams of Henry—30.

Mr. Davis motion prevailed.

Yeas 36, nays 21.

Yeas :

Messrs. Speaker, Beasley, Camp, Cole, Coleman, Dale, Davis, Deans, Ellis, Gains, Gewin, Gibbons, Harris, Hearn, Hill, Jackson, John, Kelly, Knight, Kyle, Langley, Manning, Mastin, Prowell, Reaves, Roach, Robbins, Robinson, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Taylor, Whitten, Williams of Bullock, Williams of Henry—36.

Nays:

Messrs. Beeson, Bellinger, Boykin, Brown of Russell, Cook of Wilcox, Fletcher, Ford, Forman, Fulton, Graves, John, Lipscomb, Maples, Mahan, O'Brien, Rand, Rowe, Smith of Mobile, Ward, Wood—21.

And on motion, the house adjourned till 10 a. m. Monday.

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FIFTIETH DAY.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Rowe of the house.

LEAVE OF ABSENCE

Was granted to Messrs. Coleman, Killebrew, Fielding, Mixon, Ford and Whitten.

By leave of the house, Mr. Jackson stated that he concurred in the report of the committee in the main, except as to the kind of money in which the bonds were to be made payable. He objected to the bonds being made payable in gold, and insisted that they be made payable in coin or currency.

MESSAGE FROM THE GOVERNOR.

Mr. Speaker:

I have the honor to inform you that the following bills which originated in the house, have been approved :

Nos. 243,848,370, 379,576,264,515,456,1059, 71,326, 626, 740, 806,332, 1051, 531, 279, 760, 727, 624,1193, 663, 640, 994, 1032, 85, 468, 216, 96, 39, 725, 1069, 167, 361, 639, 782, 306, 621, 546, 534, 380, 1020, 544, 471, 469.

Very respectfully,  
HARVEY E. JONES,  
Private Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended as therein shown, and as amended, has passed the following house bills :



H. 204. To provide for the better support and maintenance of the public schools of St. Clair county,

And the senate requests the house to return to the senate the house bill H. 271,

And has passed the following house bills :

H. 101. To provide for the service of legal process on domestic corporations having no officer or agent within the state, on whom process can be served;

H. 394. To regulate the reports of committing magistrates in the counties of Dallas, Hale, Lowndes, Perry and Wilcox;

H. 1078. To incorporate the South Alabama and Gulf Railroad Company;

H. 733. To relieve William B. Westcott of the disabilities of non-age;

H. 1082. To amend section two (2) of an act entitled an act to establish a charter for the town of Albertville, in Marshall county, Alabama, approved February 18, 1891;

H. 783. To amend an act entitled an act for the preservation of game animals and birds in the counties of Tuskaloosa and Calhoun, approved February 27, 1889, which was amended so as to apply to Tuskaloosa county, Crenshaw county, Lee county and Calhoun county, approved February 18, 1891, so far as the same relates to Lee county ;

H. 964. To amend section 2 of an act which was approved December 11th, 1886, entitled an act to amend section 2 of an act approved December 30th, 1868, entitled an act to amend the caption and first, and third sections of the act entitled an act to incorporate the Pioneer Petroleum Company, approved February 8th, 1866.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The house concurred in the seriate amendment to H. 204, whose title is set out in the foregoing senate message.

Yeas 66, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin,

Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Grant, Graves, Harris, Hearn, Jinks, John, Kelly, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Meadows, Mahan, Montgomery, Moore, McClusky, McCorvey, McQueen, O'Brien, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Routon, Sanford, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Turner, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry, Wood—66.

The house acceded to the request of the senate and returned H. 271 to the senate.

H. 756. To amend the revenue laws of the state of Alabama,

Having been returned on yesterday from the senate with senate amendments, and having been referred to the ways and means committee, was reported back to the house, and on motion the house non-concurred in the senate amendments and asked for a committee of conference. Committee on the part of the house: Messrs. Brooks, Mayfield and Boykin.

The house concurred in the senate amendment to

H. 704. To prevent in certain cases the sale, exchange and transportation of cotton in the seed in the county of Lee, and of cotton in the seed produced in said county,

Which was returned from the senate on yesterday.

Yeas 68, nays 0.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Burks, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Grant, Graves, Harris, Hearn, Hill, Jackson, Kelly, Kennedy, Knight, Kyle, Langley, Manning, Maples, Mastin, Meador, Mahan, Mixon, McClusky, McCorvey, McQueen, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Scarborough, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Wheelless, Williams of Bullock, Williams of Henry, Wood—68.

## REPORT OF WAYS AND MEANS COMMITTEE.

Mr. Speaker:

The ways and means committee, to whom were referred senate amendments to house bill No. 756, respectfully report that they have had the same under consideration and recommend that the house concur in the 2nd, 3rd, 4th, 5th, 8th, 9th, 11th, 12th and 13th amendments, and that it non-concur in the 1st, 6th, 7th and 10th amendments.

LESLIE E. BROOKS ,  
Chairman.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has passed the following house bills :

H. 1071. To amend section three (3) of an act entitled an act to prevent horses, mules, asses, cows, hogs, sheep or goats from running uncontrolled on crops in beat No. 5, beat No. 10 and in all that part of beat No. 7, described as follows and included within the following boundary line to-wit: Beginning at the boundary line between Butler and Lowndes counties near the residence of Mrs. Anna Bush, and running south and taking the farms of Mrs. Anna Bush and James Barganier, thence running east, taking the farms of John Cheatham, Daniel Talley, J. T. Sanders, Henry Harrison, W. H. Zeigler and William Glover and intersecting the stock law lines of beat No. 5 near William Glover's, the said described territory being all of said beat No. 7 north of said described line in the county of Butler, and to prescribe a rule of damages and rules of protection in the trial of cases under this act, and to provide for fencing around said beats No. 5, 10 and fractional part of beat No. 7 in said county of Butler, approved February 5th, 1891;

H. 947. To authorize and empower the mayor and aldermen of the city of Tuscaloosa to issue and sell the bonds of said city in an amount not exceeding twenty thousand dollars, the proceeds thereof to be used for the purpose of paying off and satisfying the interest or interest coupons now due and to become due on the pres-

ent outstanding bonds of said city; and for the purpose of paying the outstanding floating debt of said city ;

H. 270. To amend an act to relieve married women of their disabilities of minority, approved February 21, 1893;

H. 896. To perpetuate the United States government surveys of lands in Autauga and Chilton counties;

H. 1095. To prevent stock from running at large from the first day of March to the fifteenth day of November in each and every year in certain portions or territory of precinct No. 4 in Hale county, Alabama;

And has concurred in the house amendment to the senate bill

s. 250. To amend section ten of "an act entitled an act to constitute the city of Anniston a separate school district and to provide a board of education therefor, approved January 28, 1891;

And has also concurred in the house amendment to the senate bill

s. 373. To authorize and direct the judge of the circuit court of Calhoun county, to establish districts in said county, in which stock may be prevented from running at large, and to regulate such districts;

And has passed the house bills

H. 972. To prevent stock from running at large in certain parts of Macon county;

H. 846. To prevent hunting on the enclosed lands of another without the written consent of the owner or his agent or party in possession in that portion of Colbert county north of townships four and five;

H. 849. To relieve M. D. Still, of Elmore county, Alabama, of the disabilities of non-age;

H. 790. To relieve Louis A. Westcott of Montgomery county, of the disabilities of non-age ;

H. 1205. To make appropriations for the salaries of the chancellor of the Northern Chancery division, and the judges and solicitors of the twelfth and thirteen circuits;

And the senate has concurred in the report of the conference committee on the disagreement of the two houses on the house amendment to the senate bill

s. 291, To regulate the amount of fees to be received by witnesses attending court in criminal cases, or before

the grand jury, or any other criminal proceedings, so far as the same relates to the county of Tuscaloosa;

And the senate has amended as therein shown, and as amended has passed the house bill,

H. 271. To amend sections 1, 2, 15, 16, 19, 20 and 21 of an act to create the office of inspector of mines, and to prescribe the duties and powers of such office, approved February 16th, 1893 ;

And has concurred in the house amendment to the senate bill

s. 21. To provide for holding elections for the adoption of stock law in Cleburne county, and to provide for carrying it into effect, when it shall be adopted;

And accedes to the request of the house for a committee of conference on the house bill

H. 756. To amend the revenue laws of the state of Alabama;

Committee on part of the senate, Messrs. McElderry, Bogart and Sayre.

W. L. CLAY,  
Secretary.

And the house concurred in the senate amendment to the house bill 271, whose title is set out in the foregoing senate message.

Yeas 58, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Davis, Ewing Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Graves, Hill, Jinks, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mahan, McCorvey, McQueen, O'Brien, Ott, Patton, Prowell, Rabb, Roach, Robbins, Robinson, Rowe, Savage, Scarborough, Smith of Greene, Summers, Taylor, Turner, Willett, Williams of Henry, Wood—58.

Mr. Speaker :

Your conference committee on house amendment to senate bill 291 respectfully report that we recommend that the senate concur in house amendment and add the further amendment: "Provided the provisions of this act shall not be construed as to conflict, in any man-

ner with the provisions of the general convict laws of this state.

FRANK S. MOODY,  
A. D. SAYRE,  
W. J. SANFORD,  
On part of senate.  
J. J. MAYFIELD,  
H. R. KENNEDY,  
O. KYLE,  
On part of house.

The house concurred in the foregoing report of conference committee.

Yeas 67, nays 0.

Yeas :

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Burks, Cameron, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ewing, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Harris, Hearn, Jackson, Kelly, Kyle, Maples, Mayfield, Meador, Mahan, Mills, Mison, McClusky, McCorvey, O'Brien, Ott, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Savage, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Turner, Wheelless, Whitten, Williams of Bullock, Williams of Henry, Wood—67.

#### UNFINISHED BUSINESS.

The house resumed consideration of the governor's veto

Message on

H. 821. To provide for the calling and holding of meetings of stockholders of railroad corporations in certain cases and regulating the voting, the election of officers and the transaction of other business at such meetings.

The house proceeded to the reconsideration of said bill,

And the question being, shall the bill pass notwithstanding the governor's veto, the bill was lost.

Yeas 35, nays 53.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Burks, Cole, Deans, Ellis, Ewing, Franklin, Fuller, Gains, Gewin, Graham, Harris, Hearn, Hill, Jackson, Kelly, Manning, Mastin, Mixon, McClusky, McCorvey, Prowell, Reaves, Robinson, Routon, Savage, Smith of Autauga, Smith of Butler, Taylor, Turner, Wheelless, Willett  
--35.

Nays:

Messrs. Banks, Barren, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Cook of Talladega, Cook of Wilcox, Curtis. Dale, Davis, Fleming, Fletcher, Forman, Fulton, Gibbons, Grant, Graves, Jinks, John, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Mahan, Mills, Moore, McQueen, O'Brien, Perry, Rabb, Rand, Roach, Robbing, Rogers, Rowe, Sanford, Scarborough, Screws, Seale, Smith of Greene, Smith of Mobile, Summers, Ward, Williams of Bullock, Williams of Henry, Wood—53.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

The committee on enrolled bills report the following bills correctly enrolled :

H. 948. To change and more permanently establish the line between the counties of Blount and Walker ;

H. 116. To amend sections one, two, four, five, six, seven, eleven, fourteen, seventeen and twenty-five of an act entitled an act to establish the city court of Bridgeport, approved February 21st, 1893, and to extend the the jurisdiction of said court;

H. 267. Prohibiting the sale or giving away of any spirituous, vinous or malt liquors within one mile of Coffee Springs Camp Grounds in Geneva county, and within five miles of Bethabara church in Tuscaloosa county and within four miles of Neals Chapel in Macon county and within three miles of Baptist church, Jenifer, Talladega county, Alabama, and within eight miles of Friendship Baptist church in Elmore county, within two miles of Calvert Chapel Washington county;

H. 771. To amend the charter of the town of Greensboro in Hale county, Alabama, and all acts amendatory thereto;

H. 1119. To provide for the revision, codification, digesting and promulgation of the statutes of this state both civil and criminal;

H. 898. To establish a new charter for the city of Aniston;

H. 1031. To establish a board of revenue for Barbour-county;

H. 126. To require deeds of assignment for the benefit of creditors to be filed and recorded in the office of the probate judge;

H. 394. To regulate the report of committing magistrates in the counties of Dallas, Hale, Lowndes, Perry and Wilcox;

H. 733. To relieve Wm. B. Westcott of the disabilities of non-age;

H. 971. For the relief of H. L. Martin, register in chancery for Macon county, Alabama;

H. 1140. To confer chancery jurisdiction on the circuit courts of Morgan and Madison counties, and on the circuit, court of Jefferson county, holden at Bessemer in said county, and on the circuit court of Jefferson county, holden at Birmingham, Alabama;

H. 794. To amend section six of an act entitled an act to prevent stock from running at large in Pike county, approved December 9, 1890.

H. 920. To authorize Susan M. Daniel, a minor, to sell and convey her lands situated in Jackson county, Alabama;

H. 973. To authorize riparian proprietors who have-erected or maintained piles, booms, bulkheads, and other structures in front of their property, to collect compensation for the use thereof by others ;

H. 1024. To amend an act approved February 2, 1893, to authorize the mayor and council of the town of Union Springs to issue bonds of said town for an amount not exceeding thirty thousand dollars for the purpose of erecting and maintaining a system of water works and a system of electric lights, one or both in said town;

H. 1211. To fix the time of holding the chancery courts in the northwestern chancery division/and regulate the proceedings therein ;

H. 1082. To amend section 2 of an act entitled an act.



to establish a charter for the town of Albertville in Marshall county, Alabama, approved February 18, 1891;

H. 677. For the relief of W. J. Ward, of Geneva county, Alabama;

H. 679. For the relief of justices of the peace, notaries public exercising the same jurisdiction and the same power of justices of the peace and constables of Greene and Bullock counties, Alabama;

H. 1003. To amend an act entitled an act to regulate the disposition and management of a bequest made by James Wallace, late of Lawrence county, Alabama, for the benefit of free public schools in township seven, range nine, west, in said county, approved December 11, 1878;

H. 540. To authorize the city of Eufaula to construct and maintain a system of sanitary sewerage, to issue bonds for the purpose of constructing same, and to regulate connections with the said sewerage system ;

H. 101. To provide for the service of legal process on domestic corporations having no office or agent within the state on whom process can be served;

H. 281. To provide for the appointment of a county solicitor for Washington county, prescribe his duties, fees and term of office, to fill vacancies in the office, and the appointment of county solicitor pro tern. and their fees ;

H. 1088. To create a lien in favor of the owners or keepers of pastures for the payment of their charges for pasturing stock in the counties of Wilcox and Dallas;

H. 880. Providing for the payment of the costs in certain cases, where defendants were convicted of felonies in the city court of Talladega, and after serving part of their respective terms in the penitentiary were released;

H. 744. To amend an act to incorporate the city of Tuskaloosa, approved March 12th, 1873, by the additions of sections 99,100, and 101 in reference to the levy and collection of a tax on certain persons, businesses and vocations within the limits of said city, and the licensing, restraining and regulating of the same, and to provide punishment for the doing of such businesses without having taken out a license or paid such tax ;

H. 608. To amend an act entitled an act to establish a new charter for the city of Sheffield, in the county

of Colbert, State of Alabama, approved December 12th, 1892;

H. 883. To amend section 4 of an act to incorporate the city of Sylacauga, approved February 26th, 1887;

H. 1078. To incorporate the South Alabama and Gulf Railroad Company;

H. 807. To incorporate the Autauga Manufacturing Company, in Autauga county, Alabama;

H. 873. To consolidate and adjust the bonded debt of the state of Alabama;

H. 853. To amend an act entitled an act to incorporate the town of Geneva, in Geneva county, approved March 4th, 1875;

H. 964. To amend section 2 of an act which was approved December 11, 1886, entitled an act to amend section 2 of an act approved December 30, 1868, entitled an act to amend the caption and first and the third sections of the act entitled an act to incorporate the Pioneer Petroleum Company, approved February 8, 1866.

J. R. CURTIS,  
Chairman.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bills, your signature thereto is requested :

s. 274. To provide for and regulate contests of elections for governor, secretary of state, state auditor, state treasurer and attorney-general;

s. 96. To regulate the practice and proceedings in civil cases in the circuit courts of Colbert and Lauderdale counties in this state, and in the supreme court in appeals from judgment rendered in such cases ;

s. 431. For the relief of T. J. Middlebrooks of Lowndes county;

s. 285. Relative to bonds, undertakings, recognizances, guarantees, and other obligations required or permitted to be made, given, tendered or filed with surety or sureties, and to the acceptance as surety or guarantor thereupon, of companies qualified to act as such;

s. 473. To regulate the fine and forfeiture fund of

Butler county, and the disposal of money arising from fines, forfeitures and convict labor in said county;

s. 278. To incorporate the Young Men's Christian Association of Mobile, Alabama, and to define the powers thereof;

s. 469. To amend section 2 of an act to prevent stock from running at large in certain parts of Marengo county;

s. 347. To incorporate the Planters Warehouse and Commission Company;

s. 362. To prevent deception in the manufacture and sale of imitation butter;

s. 446. To authorize the probate judge and county commissioners of Randolph county to lay off beat number three and beat number six, and all that part of township eighteen, of range ten (10), that lies west of Big Tallapoosa river, into stock law districts, and to authorize elections thereon to prohibit stock from running at large in said districts;

s. 136. To regulate the holding of municipal elections in the city of Tuscaloosa, Alabama;

s. 332. To make appropriations for additional clerical help in the state auditor's office;

s. 440. To amend an act entitled an act to incorporate the town of Moulton in Lawrence county, Alabama, approved February 14th, 1891.

s. 250. To amend section ten of an act entitled an act to constitute the city of Anniston a separate school district and to provide a board of education therefor, approved January 28, 1891;

s. 486. To incorporate the Chicago, Florence and Gulf Railway Company,, and to further the construction of the same;

s. 450. To repeal an act entitled an act to create a separate school district in Jackson county, to be known as Pleasant Grove district out of a part of township five, range six, east, approved February 21, 1887, and an act amendatory thereof approved February 15, 1889, and another act amendatory thereof, approved February 18, 1891, and to provide for the election of township trustees in said township five, range six ;

s. 233. To provide for the drawing of jurors in the May and November terms of the circuit court for the county of Madison for the year 1895.

## SIGNING BILLS.

The speaker of the house in the presence of the house and immediately after their titles had been publicly read by the clerk signed the bills whose titles are set out in the foregoing senate message and report of committee on enrolled bills.

## MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended as therein shown, and as amended, has passed the house bill

H. 543. To authorize the court of county commissioners Of Barbour county to issue bonds of said county to an amount not exceeding ninety thousand dollars, for the purpose of taking up, cancelling and retiring the present outstanding indebtedness of said county,

And has passed the house bills

H. 813. To prescribe the compensation of the judge of probate of Morgan county, Alabama, for services as judge of the county court of said county ;

H. 803. To charter the town of Oakman in the County of Walker, State of Alabama ;

H. 313. To make certain municipal ordinances or by-laws evidence without further proof;

H. 805. To define and punish blackmailing ;

H. 742. To divest title in certain lands lying in Calhoun county, Alabama, Out of the state, and to vest title in same in Mary A Nance ;

H. 2. To extend the time for the construction of the harbor and railroad of the Birmingham, Mobile and Navy Cove Harbor Railroad Company.

W. L. Clay,  
Secretary.

## SENATE MESSAGE.

The house concurred in the senate amendment to H. 543 whose title is set out in the foregoing senate message.

Yeas 56, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Coleman, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ewing, Fielding, Fletcher, Ford, Forman, Fuller, Gains, Gibbons, Graves, Harris, Hearn, Jackson, Kelly, Kennedy, Knight, Kyle, Langley, Mastin, Meadows, Mahan, Mills, Mixon, McClusky, McCorvey, McQueen, Patton, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Ward, Williams of Henry—56.

#### BILLS ON THIRD READING.

s. 191. To regulate the holding of the circuit court for Randolph county,

Was amended, read a third time at length and passed --yeas 69, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Grant, Graves, Hearn, Jackson, Kelly, Kennedy, Killebrew, Kyle, Langley, Lipscomb, Manning, Maples, Mayfield, Mahan, Mills, Mixon, Montgomery, McClusky, McCorvey, McQueen, O'Brien, Ott, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Routon, Sanford, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Turner, Willett, Williams of Bullock, Williams of Henry --69.

s. 367. To incorporate the Madison Loan and Trust Company,

Was read a third time at length and passed —yeas 62, Nays 6,

Yeas:

Messrs. Speaker, Banks, Barron, Beasley, Beeson, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Ewing, Fielding, Fleming, Fletcher, For-

man. Franklin, Fulton, Gewin, Gibbons, Graham, Graves, Harris, Hearn, Jackson, John, Kelly, Kennedy, Knight, Kyle, Langley, Manning, Maples, Mastin, Mahan, McClusky, O'Brien, Patton, Perry, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Ronton, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Wheeless, Williams of Bullock, Williams of Henry—62.

s. 248. To amend section one of an act entitled an act, to regulate the practice and procedure in the circuit court in Talladega county, in this state, approved December 13th, 1894,

Was read a third time at length and passed—yeas 61, nays 0.

Yeas :

Messrs. Speaker, Banks, Beasley, Bellinger, Brown Of Conecuh, Brown of Russell, Burks, Burns, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, DaviSy Deans, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Graham, Grant, Graves, Harris, Hearn, Jackson, Jinks, Kelly, Kennedy, Knight, Kyle, Manning, Maples, Mayfield, Mills, Mixon. McCorvey, McQueen, O'Brien, Patton, Perry, Prowell, Rabb, Randy Reaves, Roach, Robbins, Robinson, Rowe, Sanford, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Ward, -Wheeless, Williams of Henry—61.

s. 67. To incorporate the Alumni Association of the Agricultural and Mechanical College of Alabama, and for other purposes pertaining to said association,

Was amended; read a third time at length and passed. yeas 68, nays 0.

Yeas :

Messrs. Speaker, Banks, Beasley, Beeson, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun^ Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fielding, Fletcher, Ford, Forman, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Harris, Hearn, Jackson, Jinks, Kelly, Kennedy, Knight, Kyle, Langley, Maples, Mastin, Meadows, Mahan, Mills, Mixon, Moore, McGlusky, O'Brien, Ott, Patton, Perry, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of

Mobile, Taylor, Turner, Ward, Wheelless, Williams of Bullock, Williams Henry—68.

s. 263. To amend section 2972 of the code of Alabama, so as to provide a more effectual remedy against the subscribers to the capital stock of a corporation who have not paid their subscriptions,

Was read a third time at length and passed—yeas 69, nays 0.

Yeas :

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Graves, Harris, Hearn, Jinks, John, Kelly, Kennedy, Knight, Kyle, Langley, Manning, Maples, Mastin, Mills, McClusky, McQueen, Ott, Perry, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe. Routon, Sanford, Savage, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Ward, Williams of Bullock, Williams of Henry, Wood—69.

s. 382. To amend section 192 of the code,

Was read a third time, at length, and passed—yeas 62, nays 2.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Burks, Calhoun, Cameron, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fleming, Fletcher, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Hearn, Jackson, John, Kelly, Kennedy, Kyle, Langley, Manning, Maples, Mastin, Mayfield, McCorvey, McQueen, O'Brien, Perry, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Turner, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—62.

Nays:

Messrs. Camp, Cook of Talladega—2.

s. 383. To amend section 171 of the code,

Was read a third time, at length, and passed—yeas 63, nays 0.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Hearn, Jackson, Jinks, John, Kennedy, Killebrew, Kyle, Langley, Maples, Mastin, Meador, Mixon, McClusky, Me Queen, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Rogers, Savage, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Ward, Wheelless, Williams of Henry, Wood—63.

s. 381. To amend section 185 of the code,

Was read a third time, at length, and passed—yeas, 72, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Cook of Talladoga, Cook of Wilcox, Curtis, Dale, Deans, Ellis, Ewing, Fielding, Fleming, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gewin, Gibbons, Grant, Graves, Hearn, Jackson, Jinks, John, Kelly, Kyle, Manning, Maples, Mayfield, Mahan, Mills, Mixon, McClusky, McCorvey, McQueen, O'Brien, Ott, Perry, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Savage, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Turner, Ward, Wheelless, Williams of Henry, Wood—72.

s. 384. To amend section 174 of the code,

Was read a third time at length and passed—yeas 53, nays 5.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Brooks, Brown of Russell, Burks, Calhoun, Camp, Cole, Cook of Wilcox, Dale, Davis, Ellis, Ewing, Fielding, Fletcher, Ford, Forman, Franklin, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Hill, John, Kyle, Maples, Mahan, Mixon, McCorvey, McQueen, O'Brien, Ott, Perry, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Savage, Scarborough, Smith of Autauga, Smith



of Greene, Smith of Mobile, Taylor, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry, Wood—53.

Nays:

Messrs. Brown of Russell, Curtis, Franklin, Harris, Hearn—5.

s. 385. To provide for filling vacancies in the elective offices of the Alabama state troops,

Was read a third time at length and passed—yeas -55, nays 0.

Yeas:

Messrs. Speaker, Barron, Beasley, Beeson, Boykin, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Cook of Wilcox, Dale, Deans, Ewing, Fleming, Fletcher, Franklin, Fulton, Gains, Jackson, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, Maples, Mayfield, Mahan, Mixon, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Band, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Scarborough, Smith of Autauga, Smith of Greene, Taylor, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—55.

s. 386. To authorize the formation of a brigade of the Alabama state troops and to provide for the appointment of the officers thereof,

Was amended, read a third time at length, and passed—yeas 56, nays 1.

Yeas :

Messrs- Speaker, Barren, Beasley, Bellinger, Brown of Russell, Burns, Cook of Wilcox, Dale, Davis, Deans, Ewing, Fielding, Fletcher, Ford, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Graves, Hearn, John, Kelly, Knight, Kyle, Maples, Mayfield, Mahan., McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Taylor, Ward, Wheellesa, Williams of Bullock, Williams of. Henry, Wood—56.

Nay:

Mr. Harris—1.

s. 387. To authorize an officer elected to the same office in another organization to accept such office without losing his rank,

Was read a third time at length, and passed—yeas 49, nays 4.

Yeas :

Messrs. Speaker, Beeson, Bellinger, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cook of Wilcox, Ewing, Fleming, Fletcher, Franklin, Fuller, Gains, Gibbons, Graham, Grant, Graves, John, Kelly, Kennedy, Knight, Kyle, Langley, Mahan, McCorvey, McQueen, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Sanford, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Taylor, Willett, Williams of Bullock, Wood—49.

Nays:

Messrs. Cole, Hearn, Mills, Wheelless—4.

s. 389. To amend section 184 of the code,

Was amended, read a third time, at length, and passed—yeas 50, nays 5.

Yeas:

Messrs. Speaker, Beasley, Beeson, Brown of Russell, Calhoun, Cameron, Camp, Cook of Wilcox, Ewing, Fleming, Fletcher, Forman, Fulton, Gibbons, Graves, Hill, Jinks, John, Kelly, Kennedy, Knight, Kyle, Maples, Mayfield, Mahan, McCorvey, McQueen, O'Brien, Ott, Patton, Perry, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Scarborough, Screws, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Taylor, Turner, Wheelless, Willett, Williams of Bullock, Wood—50.

Nays :

Messrs. Burks, Cole, Franklin, Hearn and Langley—5.

s. 388. To amend section 188 of the code,

Was amended, read a third time at length and passed—yeas 46, nays 10.

Yeas:

Messrs. Speaker, Beasley, Beeson, Brown of Russell, Calhoun, Cameron, Camp, Cook of Wilcox, Dale, Davis, Ewing, Fleming, Fletcher, Forman, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Hill, John, Kelly, Kennedy, Knight, Kyle, Lipscomb, McCorvey, McQueen, O'Brien, Perry, Prowell, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Scarborough, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Willett, Williams of Bullock—46.

Nays:

Messrs. Burks, Cole, Franklin, Harris, Hearn, Laugley, Mahan, Mills, Summers, Wheelless—10.

s. 472. To establish a charter for the city of Columbia, in Shelby county, Alabama,

Was read a third time at length and passed—yeas 51, nays 0.

Yeas:

Messrs. Speaker, Banks, Beasley, Beeson, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Davis, Deans, Ellis, Ewing, Fleming, Fletcher, Franklin, Gains, Gewin, Gibbons, Hill, John, Kelly, Kyle, Langley, Lipscomb, Mahan, McCorvey, O'Brien, Perry, Prowell, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Summers, Taylor, Turner, Wheelless, Willett, Williams of Bullock, Wood—51.

s. 233. To provide for the drawing of jurors for the May and November terms of the circuit court for the county of Madison for the year 1895,

Was read a third time at length, and passed—yeas 52, nays 1.

Yeas:

Messrs. Speaker, Banks, Beasley, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Deans, Ellis, Ewing, Fletcher, Fulton, Gains, Gewin, Gibbons, Hill, John, Kelly, Kennedy, Kyle, Langley, Mahan, Mills, Moore, McCorvey, McQueen, O'Brien, Prowell, Rand, Reaves, Roach, Rogers, Rowe, Sanford, Scarborough, Screws, Smith of Autauga, Smith of Greene, Summers, Taylor, Turner, Wheelless, Willett, Williams of Bullock, Wood—52.

Nay:

Mr. Franklin—1.

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AFTERNOON SESSION.

BILLS ON THIRD READING.

s. 430. To fix the right of the city of Mobile to certain real estate,

Was read a third time, at length, and passed—yeas 55, nays 0.

Yeas:

Messrs. Speaker, Banks, Barron, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Cameron, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Fielding, Fleming, Forman, Fulton, Gains, Gewin, Gibbons, Graves, Jackson, John, Kelly, Knight, Kyle, Lipscomb, Maples, Mastin, Mayfield, Mahan, Mills, McClusky, McCorvey, McQueen, Perry, Rabb, Rand, Reaves, Roach, Robinson, Rogers, Rowe, Smith of Autauga, Smith of Butler, Smith of Mobile, Summers, Williams of Henry, Wood—55.

s. 425. To ratify and confirm the charter of the Standard Building and Loan Association of Montgomery, Alabama, the Mutual Benefit Building and Loan Association of Montgomery, and the Home Building and Loan Association of Montgomery, corporations under the general laws of the state, and to authorize them to issue what is known as "paid up stock" and to lend money on the stock of their members,

Was read a third time at length and passed—yeas 53, nays 0.

Yeas :

Messrs. Speaker, Barron, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ewing, Fleming, Fletcher, Ford, Forman, Fulton, Gewin, Gibbons, Graves, Jackson, John, Kelly, Kyle, Lipscomb, Maples, Mayfield, Mahan, Mixon, McCorvey, Patton, Perry, Prowell, Reaves, Roach, Robinson, Rogers, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Tuck, Turner, Ward, Williams of Henry, Wood—53.

s. 102. To amend section 4511 of the code,

Was amended, read a third time at length and passed—yeas 54, nays 0.

Yeas :

Messrs. Speaker, Barron, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Cook of Wilcox, Curtis, Dale, Davis, Deans, Fleming, Fletcher, Ford, Forman, Fulton, Gains, Gewin, Gibbons, Graham, Grant,

Graves, Jackson, Kelly, Knight, Kyle, Langley, Maples, Mastin, Mayfield, Mahan, McQueen, Patton, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rogers, Scarborough, Smith of Autauga, Smith of Butler, Summers, Williams of Henry, Wood—54.

s. 295. To amend an act to require all corporations to pay a fee or license for the use of the state before commencing business in this state, approved February 18, 1893,

Was amended, read a third time at length and passed—yeas 55, nays 0.

Yeas:

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graves, Hearn, Jackson, Jinks, John, Knight, Kyle, Lipscomb, Maples, Mayfield, Mahan, Mixon, McCorvey, Prowell, Reaves, Roach, Robbins, Robinson, Sanford, Smith of Autauga, Smith of Greene, Smith of Mobile, Wheelless, Willett, Williams of Henry, Wood—55.

s. 80. To amend section 4 of an act entitled an act to establish a branch agricultural experiment station and agricultural school in southwest Alabama, approved February 21, 1893,

Was read a third time at length and passed—yeas 57, nays 0.

Yeas :

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Dale, Davis, Deans, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Grant, Graves, Hearn, Jackson, Jinks, John, Kelly, Kyle, Lipscomb, Maples, Mastin, Mahan, McCorvey, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Sanford, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Turner, Willett, Williams of Bullock, Williams of Henry, Wood—57.

s. 380. To authorize the mayor and aldermen of Birmingham to issue bonds of said city to fund and retire

the outstanding bonded indebtedness of said city, and establish a reformatory and work farm, and to purchase and establish an electric police alarm in said city,

Was amended, read a third time at length and passed—yeas 37, nays 27.

Yeas:

Messrs. Speaker, Barren, Brown of Russell, Burks, Calhoun, Curtis, Dale, Davis, Ewing, Fleming, Fletcher, Fulton, Gewin, Gibbons, Grant, Graves, Jinks, Kyle, Lipscomb, Mayfield, Mahan, McClusky, McCorvey, O'Brien, Prowell, Rand, Roach, Robinson, Rogers, Scarborough, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Taylor, Turner, Willett, Williams of Bullock, Williams of Henry, Wood—37.

Nays:

Messrs. Beasley, Beeson, Bellinger, Brown of Conecuh, Burns, Cameron, Camp, Cole, Cook of Wilcox, Ewing, Forman, Franklin, Fuller, Gains, Harris, Hearn, Hill, Jackson, John, Kelly, Kennedy, Langley, Manning, Mastin, Routon, Summers, Taylor—27.

s. 376. To confer additional powers on the may or and aldermen of Birmingham,

Was amended, read a third time, at length, and passed—yeas 52, nays 0.

Yeas :

Messrs. Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Curtis, Dale, Davis, Deans, Fleming, Fletcher, Forman, Fuller, Fulton, Gewin, Gibbons, Graves, Hearn, Jinks, John, Kyle, Langley, Lipscomb, Manning, Maples, Mahan, McClusky, McCorvey, O'Brien, Patton, Perry, Prowell, Rand, Roach, Robinson, Rowe, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Turner, Willett, Williams of Bullock, Williams of Henry, Wood—52.

s. 485. To change the name of the Sheffield and Tusculumbia Street Railway Company to Sheffield and Tusculumbia Railway Company, and to increase its powers,

Was read a third time, at length, and passed—yeas 59, nays 0.

Yeas:

Messrs. Speaker, Barron, Beasley, Beeson, Bellinger,

Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Cole, Curtis, Dale, Davis, Deans, Ewing, Fleming, Fletcher, Forman, Fuller, Fulton, Gewin, Gibbons, Graves, Harris, Hearn, Hill, Jackson, Kelly, Kennedy, Knight, Kyle, Langley, Mastin, Mayfield, Mahan, McCorvey, O'Brien, Perry, Prowell, Rabb, Reaves, Roach, Robbins, Robinson, Rowe, Sanford, Scarborough, Scale, Smith of Autauga, Smith of Butler, Taylor, Turner, Willett, Williams of Bullock, Williams of Henry, Wood—59.

s. 428, To provide a system of waterworks for the city of Greenville, and to authorize the mayor and city council of Greenville, Alabama, to issue bonds for an amount not exceeding twenty thousand dollars for the purpose of purchasing a system of water works,

Was read a third time at length and passed—yeas 57, nays 0.

Yeas :

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Barks, Calhoun, Camp, Cole, Cook of Talladega, Curtis, Dale, Davis, Deans, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gibbons, Graves, Jackson, John, Kelly, Knight, Kyle, Langley, Mastin, Mayfield, Mahan, McCorvey, O'Brien, Patton, Prowell, Rand, Roach, Robbins, Robinson, Rowe, Sanford, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Ward, Willett, Williams of Bullock, Williams of Henry, Wood—57.

s. 423. For the more efficient government of the district of Opelika by increasing the number of commissioners from five to seven, one of whom to be president and one recorder, prescribe the duties of said president and recorder and authorizing the election of clerk and chief of police and other subordinate officers by said board,

Was amended, read a third time at length and passed—yeas 50, nays 26.

Yeas:

Messrs. Speaker, Barren, Boykin, Brooks, Brown of Russell, Calhoun, Cameron, Camp, Curtis, Dale, Davis, Fleming, Fletcher, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Jinks, John, Kelly, Knight, Lipscomb,

Maples, Mayfield, Mahan, McClusky, McCorvey, O'Brien, Ott, Perry, Prowell, Rand, Roach, Robinson, Rogers, Rowe, Rout on, Sanford, Scarborough, Seale, Smith of Autauga, Smith of Greene, Smith of Mobile, Turner, Ward, Willett, Williams of Bullock, Williams of Henry, Wood—50.

Nays:

Messrs. Banks, Beasley, Beeson, Bellinger, Brown of Conecuh, Burks, Cole, Cook of Talladega, Deans, Ellis, Ewing, Forman, Franklin, Fuller, Gains, Harris, Hearn, Jackson, Langley, Mastin, Mills, Robbins, Savage, Smith of Butler, Taylor, Wheelless—26.

s. 452. To authorize the auditor to execute a deed to Amos F. Hoffer to the east ½ of northeast quarter of section 16, township 24 range 22 in Tallapoosa county Alabama, conveying the title of the state in said lands to said Amos F. Hoffer,

Was read a third time at length and passed—yeas 63, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cole, Curtis, Dale, Davis, Deans, Ellis, Ewing, Fielding, Fleming, Forman, Franklin, Fuller, Gewin, Gibbons, Graham, Grant, Graves, Harris, Jackson, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mastin, Mahan, McCorvey, O'Brien, Ott, Patton, Perry, Rabb, Reaves, Roach, Robbins, Robinson, Rowe, Sanford, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Ward, Willett, Williams of Bullock, Williams of Henry, Wood—63.

s.490. To define train robbing and fix the punishment therefor,

Was read a third time at length and passed—yeas 64, nays 0.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Ellis, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Gains, Gewin, Gibbons, Grant, Graves, Hearn, Jinks,



John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mayfield, Meador, Mahan, McCorvey, O'Brien, Patton, Prowell, Rabb, Rand, Roach, Robbins, Robinson, Rowe, Sanford, Scarborough, Seale, Smith of Autauga, Smith of Greene, Taylor, Ward, Willett, Williams of Bullock, Williams of Henry, Wood—64.

s. 403. To provide for the working and improving of public roads situate in a part of Mobile county,

Was read a third time at length, and passed—yeas 61, nays 1.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Russell, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gibbons, Graham, Grant, Graves, Hearn, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, McCorvey, O'Brien, Ott, Perry, Rabb, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Scarborough, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Turner, Wheeless, Willett, Williams of Bullock, Williams of Henry—61.

Nays: Mr. Mahan.

s. 82. To protect fish in Deer river, East Fowl West Fowl river and the tributaries of these streams in Mobile county.

Mr. Smith offered the following amendment: " amend caption and body of bill by adding Little river. Adopted.

And the bill

Was read a third time at length, and passed—yeas 60, nays 0

Yeas:

Messrs. Speaker, Barron, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Davis, Deans, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Graves, Hearn, John, Kelly, Kennedy, Kyle, Lipscomb, Maples, Mayfield, Meador, Mahan, Mixon, McClusky, McCorvey, O'Brien, Rand, Reaves, Roach, Robbins, Robinson, Rowe, Routon, Scarborough, Seale, Smith of Autauga, Smith of Butler, Smith of

68 h

Greene, Smith of Mobile, Ward, Willett, Williams of Bullock, Williams of Henry—60.

s. 334. To amend an act to incorporate the Tuskegee Female College, approved February 22nd, 1854, and an act to amend an act entitled an act to incorporate the Tuskegee Female College, approved March 28th, 1873, so as to prohibit the sale of spirituous, vinous and malt liquors within four miles of the Alabama Conference Female College,

Was read a third time at length, and passed—yeas 56, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Curtis, Dale, Davis, Ellis, Fielding, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Graves, Jackson, Jinks, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mahan, Mills, Mixon, McCorvey, O'Brien, Prowell, Rand, Roach, Robinson, Rogers, Rowe, Sanford, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Turner, Willett, Williams of Bullock, Williams of Henry—56.

s. 308. To limit the time within which the old bonds of the state may be exchanged for the new bonds authorized by the act approved February 23, 1876,

Was read a third time, at length, and passed—yeas 54, nays 1.

Yeas :

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Curtis, Dale, Davis, Deans, Ewing, Fleming, Fletcher, Franklin, Fuller, Fulton, Graham, Grant, Graves, Harris, Hearn, John, Kelly, Kennedy, Knight, Kyle, Langley, Lipscomb, Maples, Mastin, Mahan, Mills, Mixon, O'Brien, Ott, Roach, Robinson, Rogers, Rowe, Routon, Scarborough, Smith of Autauga, Ward, Willett, Williams of Bullock, Williams of Henry—54.

Nay:

Mr. Hill—1.

s. 223. To incorporate the Farmers Mutual Insurance Association of the state of Alabama,

Was read a third time, at length, and passed—yeas 57, nays 0.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Burns, Calhoun, Cameron, Camp, Dale, Davis, Fielding, Fleming, Fletcher, Franklin, Fuller, Fulton, Gewin, Gibbons, Graham, Grant, Graves, Jinks, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mastin, Mahan, Mixon, McClusky, McCorvey, O'Brien, Ott, Rand, Reaves, Roach, Robinson, Rogers, Rowe, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Ward, Wheelless, Williams of Bullock, Williams of Henry, Wood—57.

s. 239. To amend section 2348 of the code,

Was read a third time at length and passed—yeas 51, nays 4.

Yeas:

Messrs. Speaker, Barren, Beasley, Beeson, Bellinger, Brooks, Brown of Conecuh, Brown of Russell, Burks, Cameron, Camp, Dale, Davis, Ellis, Fielding, Fleming, Fletcher, Forman, Franklin, Fulton, Gewin, Gibbons, Grant, Graves, Harris, Hearn, Jackson, Jinks, John, Kelly, Kyle, Langley, Maples, Mastin, Mahan, Mills, Mixon, McCorvey, O'Brien, Rand, Reaves, Roach, Robinson, Rogers, Sanford, Scarborough, Smith of Autauga, Wheelless, Williams of Bullock, Williams of Henry, Wood—51.

Nays:

Messrs. Calhoun, Kennedy, Ott, Rowe—4.

s. 200. To incorporate the Huntsville Primitive Baptist Graded and Industrial School,

Was read a third time at length and passed—yeas 58, nays 0.

Yeas:

Messrs. Speaker, Barren, Beeson, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Coleman, Cook of Talladega, Curtis, Dale, Deans, Ewing, Fleming, Fletcher, Franklin, Fuller, Fulton, Gains, Gibbons, Graham, Grant, Jackson, Jinks, John, Kennedy, Killebrew, Knight, Langley, Mastin, Mayfield, Meadows, Mahan, Montgomery, Moore, McCorvey, O'Brien, Perry, Rand, Roach, Robinson,

Rogers, Routon, Sanford, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Summers, Taylor, Turner, Wheelless, Williams of Bullock, Williams of Henry, Wood—58.

s. 325. To amend an act entitled an act for the relief of needy Confederate soldiers and sailors, residents of Albania, who, from wounds or other causes, are now unable to earn a livelihood, and for the widows of such as were killed or died in said war, and have not since re-married, approved February 13th, 1891.

Was read a third time, at length, and passed—yeas 56, nays 0.

Yeas :

Messrs. Banks, Barren, Beasley, Beeson, Bellinger, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Cook of Wilcox, Dale, Deans, Ellis, Fleming, Fletcher, Ford, Fulton, Gains, Gewin, Gibbons, Grant, Graves, Jackson, Jinks, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Mayfield, Meadows, Mahan, McCorvey, Ott, Patton, Perry, Rand, Roach, Robinson, Rowe, Routon, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Tuck, Turner, Wheelless, Williams of Bullock, Williams of Henry—56.

s. 355. To appropriate a certain portion of the two and three per cent. fund to be paid into the treasury after February 18th, 1895,

Was read a third time at length and passed—yeas 43, nays 14.

Yeas :

Messrs. Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Burks, Camp, Cole, Cook of Talladega, Dale, Deans, Ellis, Ewing, Fleming, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Harris, John, Kennedy, Lipscomb, Manning, Maples, Mastin, Mayfield, Ott, Reaves, Roach, Rogers, Savage, Screws, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Wheelless, Williams of Bullock, Williams of Henry—43.

Nays: Messrs. Speaker, Brown of Russell, Calhoun, Curtis, Graham, Grant, Graves, Kyle, Mahan, Perry, Rowe, Routon, Sanford, Ward—14.

## REPORT OF CONFERENCE COMMITTEE.

To the President of the Senate and the Speaker of the House of Representatives:

Your committee of conference on senate amendments to house bill 756 respectfully report that they have had the same under consideration, and submit the following:

1st. To non-concur in the first senate amendment, and in lieu thereof strike out the proviso at the end of section first, of the bill, and substitute the following :

"Provided, that the cities of Birmingham, and Montgomery may appoint five appraisers, to be selected by the city council, and to be paid such sums as said city council may determine."

2nd. To concur in senate amendment number six, striking out the last two lines of said amendment.

3rd. To non-concur in senate amendment numbers ten and two, and strike out from subdivision 8 in section 24, the following words : "Upon the amount of such capital stock invested in property otherwise taxed."

4th. To non-concur in senate amendment number seven.

5th. And to concur in the remainder of the senate amendments.

W. H. BOGART,  
H. L. McELDERRY,  
A. D. SAYRE,

Committee on the part of the senate.

LESLIE E. BROOKS,  
J. J. MAYFIELD,  
W. J. BOYKIN,

Committee on the part of the house,

And the house concurred in the report of the conference committee on

H. 756. To amend the revenue laws of the State of Alabama.

Yeas 42, nay 10.

Yeas:

Mestrs. Speaker, Barron, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Calhoun, Cameron, Camp, Curtis, Dale, Fleming, Fletcher, Fulton, Gewin, Gibbons, Grant, Graves, Hill,

Jinks, Kelly, Kyle, Mayfield, Mahan, Moore, Perry, Rabb, Rand, Roach, Robinson, Rogers, Sanford, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Williams of Bullock, Williams of Henry, Wood—42.

Nays:

Messrs. Burks, Cole, Forman, Franklin, Fuller, Harris,. Hearn, John, Lipscomb, Mastin—10.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the house amendment to the senate bills

s. 386. To authorize the formation of a brigade of the Alabama state troops and to provide for the appointment of the officers thereof;

s. 389. To amend section 184 of the code ;

s. 191. To regulate the holding of the circuit court for Randolph county;

s. 388. To amend section 188 of the code ;

s. 67. To incorporate the Alumni Association of the Agricultural and Mechanical College of Alabama, and for other purposes pertaining to said association,

And has concurred in the report of the conference committee on the disagreement of the two houses on the house amendment to the senate bill

s. 291. To regulate the amount of fees to be received by witnesses attending court in criminal cases, or before the grand jury or any other criminal proceedings so far as the same relates to the county of Tuskaloosa;

And has passed the House bills

H. 713. To amend section 1 of an act entitled an act to amend section 2 of an act entitled an act to amend sections 1 and 12 of an act entitled an act to regulate the taking of oysters from the public reefs in this state, for sale or planting, approved December 10th, 1892, and to repeal an act entitled an act to regulate the planting and taking of oysters in the waters of this state, approved February 18th, 1891, which act hereby amended was approved December 14th, 1894, and to repeal sections. 10 and 13 of an act entitled an act to regulate the tak-

ing of oysters from the public reefs in this state for sale or planting, approved December 10th, 1892;

H. 914. To exempt practicing dentists from jury duty in all the counties in Alabama;

H. 537. To change and define the boundary line between the counties of Mobile and Washington;

H. 912. To establish a separate school district in Coosa county in this state;

H. 825. To amend an act to establish the city court of Gadsden, approved December 17th, 1894, by amending section three of said amending act;

H. 936. To create a separate school district of Daviston in beat 17, T. 24, R. 24, in Tallapoosa county, Alabama;

And has amended as therein shown, and, as amended, has passed the following house bills :

H. 1199. To pay for articles purchased for the use of the senate and house of representatives and for repairing the senate chamber and hall of the house of representatives and for repairing and furnishing the rooms of the engrossing and enrolling clerks of the house of representatives;

And has concurred in the report of the committee of conference on the disagreement of the two Houses on the senate amendments to the house bill

H. 756. To amend the revenue laws of the State of Alabama.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The house concurred in the senate amendments to H. 1199. Whose title is set forth in the foregoing senate message.

Yeas 56, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecun, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Cook of Talladega, Curtis, Dale, Davis, Deans, Ewing, Fleming, Fletcher, Forman, Franklin, Fulton, Gains, Gibbons, Grant, Graves, Jackson, Jinks, John, Kelly, Kennedy, Kyle, Langley,

Lipscomb, Manning, Maples, Mayfield, Mahan, McCorvey, Patton, Perry, Prowell, Rabb, Rand, Reaves, Roach, Robinson, Rogers, Scarborough, Smith of Autauga, Smith of Greene, Ward, Williams of Bullock, Williams of Henry—56.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

The committee on enrolled bills report the following bills correctly enrolled:

H. 2. To extend the time for the construction of the harbor and railroad of the Birmingham, Mobile and Navy Cove Harbor Railroad Company,

H. 1205. To make appropriations for the salaries of the chancellor of the Northern Chancery division, and the judges and solicitors of the twelfth and thirteenth circuits;

H. 896. To perpetuate the United States government surveys of lands in Autauga and Chilton counties ;

H. 790. To relieve Louise A. Westcott of Montgomery county of the disabilities of non-age ;

H. 742. To divest title in certain lands lying in Calhoun county, Alabama, out of the state, and to vest title in same in Mary A. Nance ;

H. 849. To relieve M. D. Still, of Elmore county, Alabama, of the disabilities of non-age.

H. 805. To define and punish blackmailing.

H. 313. To make certain municipal-ordinances or by-laws evidence without further proof ;

H. 813. To prescribe the compensation of the judge of probate of Morgan county, Alabama, for services as judge of the county court of said county ;

H. 270. To amend an act to relieve married women of their disabilities of minority, approved February 21, 1893;

H. 972. To prevent stock from running at large in certain parts of Macon county;

H. 846. To prevent hunting on the enclosed lands of another without the written consent of the owner or his agent or party in possession in that portion of Colbert county north of townships four and five;

H. 947. To authorize and empower the mayor and



aldermen of the city of Tuscaloosa to issue and sell the bonds of said city in an amount not exceeding twenty thousand dollars, the proceeds thereof to be used for the purpose of paying off and satisfying the interest or interest coupons now due and to become due on the present outstanding bonds of said city; and for the purpose of paying the outstanding floating debt of said city ;

H. 1071. To amend section three (3) of an act entitled an act to prevent horses, mules, asses, cows, hogs, sheep, or goats from running uncontrolled on crops in beat No. five, Beat No. ten and in all that part of beat No. seven described as follows and included within the following boundary line, to-wit: Beginning at the boundary line between Butler and Lowndes counties near the residence of Mrs. Anna Bush, and running south and taking the farms of Mrs. Anna Bush and James Barganier ; thence running east taking the farms of John Cheatham, Daniel Talley, J. T. Sanders, Henry Harrison, W. J. Zeigler, and William Glover and intersecting the stock law lines of beat No. five near William Glover's, the said described territory being all of said beat No. seven north of said described line in the county of Butler, and to prescribe a rule. of damages and rules of protection in the trial of cases under this act, and to provide for fencing around said beats No. 5, 10 and fractional part of beat No. seven in said county of Butler, approved February 5th, 1891,

H. 1095. To prevent stock from running at large from the first day of March to the fifteenth day of November in each and every year in certain portions or territory of precinct No. 4 in Hale county, Alabama;

H. 783. To amend an act entitled an act for the preservation of game animals and birds in the counties of Tuscaloosa and Calhoun, approved February 27th, 1889, which was amended so as to apply to Tuscaloosa county, Crenshaw county, Lee county and Calhoun county, approved February the 18th, 1891, so far as the same related to Lee county;

H. 704. To prevent in certain cases the sale, exchange and barter, purchase and offer for sale of cotton in the seed in the county of Lee, and of cotton in the sseed produced in said county;

H . 349. To amend an act entitled an act to amend

sub-division 31 of section 629 of the code of Alabama, approved February 16th, 1894.

J. R. CURTIS,  
Chairman.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The president of the senate having signed the following bill your signature thereto is requested :

s. 218. For the protection of fish in the waters of Dog river;

s. 21. To provide for holding elections for the adoption of stock law in Cleburne county, and to provide for carrying it into effect, when it shall be adopted;

s. 373. To authorize and direct the judge of the probate court of Calhoun county, to establish districts in said county, in which stock may be prevented from running at large, and to regulate such districts;

s. 15. To amend an act entitled an act to establish a city court for the county of Talladega, approved February 23, 1893;

s. 352. To incorporate the town of Newton, in the County of Dale ;

s. 402. To authorize the city council of Montgomery to issue bonds for the purpose of paving or otherwise improving the streets and sidewalks, or either, of the city of Montgomery ;

s. 384. To amend section 174 of the code ;

s. 387. To authorize an officer elected to the same office in another organization to accept such office without losing his rank;

s. 291. To regulate the amount of fees to be received by witnesses attending court in criminal cases or before the grand jury, or any other criminal proceedings so far as the same relates to the county of Tuskaloosa, and to regulate the payment of such fees ;

s. 385. To provide for filling vacancies in the elective-offices of the Alabama state troops;

s. 191. To regulate the holding of the circuit court for Randolph county;

s. 381. To amend section 381 of the code ;

s. 382. To amend section 191 of the code;

s. 883. To amend section 171 of the code ;

- s. 389. To amend section 184 of the code ;
- s. 263. To amend section 2972 of the code of Alabama so as to provide a more effectual remedy against the subscribers of the capital stock of a corporation who have not paid their subscription ;
- s. 388. To amend section 188 of the code ;
- s. 386. To authorize the formation of a brigade of the Alabama state troops, and to provide for the appointment of the officers thereof ;
- s. 67. To incorporate the Alumni Association of the Agricultural and Mechanical College of Alabama, and for other purposes pertaining to said association.

W. L. CLAY,  
Secretary.

#### SIGNING BILLS.

The speaker of the house in the presence of the house, immediately after their titles had been publicly read by the clerk, signed the bills whose titles are set out in the foregoing report of committee on enrolled bills and senate message.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended as therein shown, and as amended, has passed the following house bills :

H. 809. To amend an act entitled an act to regulate the trial of misdemeanors in Shelby county, Alabama, approved February 21, 1893 ;

And has passed the following house bills :

H. 605. To authorize the Montgomery Shooting Club to borrow money and to execute a mortgage on their property, to secure the payment thereof, or any other debt contracted by it;

H. 671. To make the fees of bonded constables in the counties of Covington and Washington the same as sheriff's fees when they perform the same or similar services ;

H. 945. To authorize and require the auditor of the State of Alabama to reimburse Phelan B. Dorian, sheriff of Mobile county for expenses incurred and services ren-

dered to the state, in the removal of George A. Pearce, a fugitive from justice;

H. 777. To amend section 19 of an act entitled an act to establish a charter for the city of Bridgeport;

H. 1143. To confer additional powers upon the Birmingham Trust and Savings Company, a body corporate, incorporated under the general laws of the State of Alabama;

H. 965. To incorporate the State Land Trust Company;

H. 1174. To amend and confirm the charter of the State Abstract Company of Montgomery county, Alabama, a corporation under the laws of said state, and to authorize a reduction of its capital stock;

H. 1086. To amend section thirteen (13) of an act entitled an act to authorize the mayor and aldermen of the city of Girard to establish a system of public schools in said city, approved February 18th, 1891;

H. 935. To prohibit the throwing or placing timber; stone, brush, saw dust or other obstruction in Big Canoe creek, in St. Clair county, or any of its tributaries ;

H. 1018. To incorporate the Southern Mutual Fire Insurance Company of Alabama ;

H. 1001. To amend section 6 of an act entitled an act to provide for the making and maintaining the public roads and bridges in Jefferson county, Alabama, approved December 17th, 1894;

H. 668. To authorize the people of Cherokee county to hold an election on the question of issuing bonds to build a free public bridge across Coosa river in said county, and to authorize the court of county commissioners to issue bonds for the same;

H. 681. For the relief of W. A. McLendon, sheriff of Henry county;

H. 1030. To authorize the intendant and councilmen of the town of Prattville to issue bonds ;

H. 1158. To fix the time and define the terms of holding the circuit court in the several counties of the tenth judicial circuit;

H. 916. To relieve William T. Bachelor, minor child of William T. Bachelor, Jr., of Elmore county, from the disabilities of non-age;

H. 395. To amend section 708 of the code of Alabama;

H. 1178. For the relief of White, Woodruff and Fowler, for record books and stationery furnished the supreme court of Alabama;

And has amended as therein shown, and as amended, has passed the house bills :

H. 999. To amend and re-enact sections 3018, 3022, 3025, 3026, 3027, 3028, 3041, and to amend section 3048 of the code of Alabama;

And has concurred in the house amendment to the senate bills:

s. 102. To amend section 4511 of the code ;

s. 295. To amend an act to require all corporations to pay a fee or license for the use of the state before commencing business in this state, approved February 18th, 1893;

s. 380. To authorize the mayor and aldermen of Birmingham to issue bonds of said city to fund and retire the outstanding bonded indebtedness of said city, and establish a reformatory and work farm and to purchase and establish an electric police alarm in said city ;

s. 376. To confer additional powers on the mayor and aldermen of Birmingham.

W. L. CLAY,  
Secretary.

And the house has concurred in the senate amendments to

H. 809. Whose title is set forth in the foregoing message from the senate :

Yeas 55, nays 0.

Yeas :

Messrs. Speaker, Beasley, Beeson, Bellinger, Boy kin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Camp, Cole, Curtis, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Forman, Fuller, Fulton, Gibbons, Graves, Harris, John, Kelly, Kennedy, Kyle, Langley, Lipscomb, Maples, Mastin. Mahan, McClusky, McCorvey, O'Brien, Patton, Rabb, Reaves, Roach, Robbins, Robinson, Rowe, Sanford, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Ward, Wheelless, Willett, Williams of Bullock, Williams of Henry—55.

And the house also concurred in the senate amendments to

H. 999. Whose title is set forth in the foregoing message from the senate:

Yeas 55, nays 0.

Yeas:

Messrs. Speaker, Beasley, Beeson, Bellinger, Boykin, Brooks, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Camp, Cole, Cook of Talladega, Curtis, Dale, Davis, Ewing, Fleming, Fletcher, Forman, Franklin, Gains, Gibbons, Graham, Graves, Harris, John, Kelly, Kyle, Langley, Lipscomb, Maples, Mastin, Mayfield, Mills, Mixon, McCorvey, O'Brien, Patton, Prowell, Hand, Reaves, Roach, Robinson, Rowe, Sanford, Scarborough, Smith of Autauga, Smith of Greene, Smith of Mobile, Turner, Ward, Willett, Williams of Bullock, Williams of Henry—55.

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NIGHT SESSION.

REPORT OF THE COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

The committee on enrolled bills report the following bills correctly enrolled :

H. 1030. To authorize the intendent and councilmen of the town of Prattville to issue bonds;

H. 681. For the relief of W. A. McLendon, sheriff of Henry county;

H. 1086. To amend section thirteen (13) of an act entitled an act to authorize the mayor and aldermen of the city of Girard to establish a system of public schools in said city, approved February 18th, 1891;

H. 1174. To amend and confirm the charter of the State Abstract Company of Montgomery county, Alabama, a corporation under the laws of said state, and to authorize a reduction of its capital stock ;

H. 912. To establish a separate school district in Coosa county in this state ;

H. 914. To exempt practicing dentists from jury duty in all the counties in Alabama ;

H. 537. To change and define the boundary line between the counties of Mobile and Washington;

H. 825. To amend an act to establish the city court of Gadsden, approved December 17th, 1894, by amending section three of said amending act;

H. 1178. For the relief of White, Woodruff and Fowler—for record books and stationery furnished the supreme court of Alabama ;

H. 395. To amend section 708 of the code of Alabama;

H. 916. To relieve William T. Bachelor, minor child of William T. Bachelor, Jr., of Elmore county, from the disabilities of non-age;

H. 1001. To amend section six of an act entitled "An act to provide for the making and maintaining the public roads and bridges in Jefferson county, Alabama," approved December 17th, 1894;

H. 895. To authorize C. L. James, the guardian of Amanda James, a lunatic, and widow of James James, deceased, to convey the right of dower of said Amanda James in certain lands without order of court;

H. 1199. To pay for articles purchased for the use of the senate and house of representatives and for repairing the senate chamber and hall of the house of representatives and for repairing and furnishing the rooms of the engrossing and enrolling clerks of the house of representatives ;

H. 204. To provide for the better support and maintenance of the public schools of St. Clair county;

H. 936. To create a separate school district of Daviston in Beat 17, T. 24, R. 24, in Tallapoosa county, Alabama ;

H. 1018. To incorporate the Southern Mutual Fire Insurance Company of Alabama.;

H. 713. To amend section 1 of an act entitled an act to amend section 2 of an act entitled an act to amend sections 1 and 12 of an act entitled an act to regulate the taking of oysters from the public reefs in this state, for sale or planting, approved December 10, 1892, and to repeal an act entitled an act to regulate the planting and taking of oysters in the waters of this state, approved February 18th, 1891, which act hereby amended was approved December 14, 1894, and to repeal sections 10 and 13 of an act entitled an act to regulate the taking of oysters from the public reefs in this state for sale or planting, approved December 10th, 1892 ;

H. 935. To prohibit the throwing or placing timber, brush, or other obstruction in Big Canoe creek, in St. Clair county;

H. 1158. To fix the time and define the terms of holding the circuit court in the several counties 9! the-tenth judicial circnit;

H. 671. To make the fees of bonded constables in the counties of Govington and Washington the same as sheriff's fees when they perform the same or similar services;

H. 777. To amend section 19 of an act entitled an act to establish a charter for the city of Bridgeport;

H. 945. To authorize and require the auditor of the state of Alabama to re-imburse Phelan B. Dorian, sheriff of Mobile county for expenses incurred -and services rendered to the state, in the removal of George A. Pearce, a fugitive from justice ;

H. 965. To incorporate the State Land Trust Company;

H. 543. To authorize the court of county commissioners of Barbour county to issue bonds of said county to an amount not exceeding ninety thousand dollars for the purpose of taking up, cancelling and retiring the present outstanding bonded indebtedness of said county ;

H. 605. To authorize the Montgomery Shooting Club , to borrow money and to execute a mortgage on their property to secure the payment thereof or any other' debt contracted by it;

H. 668. To authorize the people of Cherokee county to hold an election on the question of issuing bonds to-build a free public bridge across the Coosa river in said-county, and to authorize the court of county commissioners to issue bonds for the same ;

H. 215. To authorize Mrs. Josephine S. Mizell, widow of H. H. Mizell, deceased, to sell the dwelling house and lot lately belonging to said deceased, located in Haw Ridge, Coffee county, Alabama ;

H. 1224. For the relief of the estate of L. J. Hand, deceased;

H. 1171. To authorize the county treasurer of Lamar county to register against the fine and forfeiture fund of said county a claim of L. S. Metcalf, ex-sheriff, for fees due him for services in county court of said county ;

H. 1225. To amend an act entitled an act for the



better suppression of gambling, approved February 26, 1889, so as to allow pool selling within a place known as the fair grounds in Jefferson county, Alabama;

H. 1179. To incorporate the Industrial Insurance Company of Birmingham ;

H. 588. To amend certain sections of the charter of the town of Oxford ;

H. 1143. To confer additional powers upon the Birmingham Trust and Savings Company, a body corporate, incorporated under the general laws of the State of Alabama ;

H. 1153. To confirm the incorporation of the Birmingham Dental College;

H. 761. To incorporate the Ozark Cotton Mill Company ;

H. 223. To incorporate the Coosa Iron and Railroad Company;

H. 781. To establish Pleasant Hill school district in Jefferson county, Alabama ;

H. 670. To pay W. W. Waite, sheriff of Clarke county, for the removal of George W. White, charged with a felony, from LaFayette, in the State of Louisiana, to Grove Hill, in Clarke county, Alabama ;

H. 596. To regulate the trial of certain misdemeanors committed in Russell county ;

H. 541. To authorize the city of Eufaula to buy, lease, contract for, build, construct, maintain and operate a system of water works and a gas, or electric light plant, or gas and electric light plants in said city and vicinity ;

H. 809. To amend an act for the trials of misdemeanors in Shelby county, Alabama, approved February 12th, 1891;

H. 402. To repeal sections 1, 3 and 4 of an act entitled an act to provide for and regulate the fine and forfeiture fund in the counties of Monroe, Macon, Washington, Jefferson and Randolph, so far as said sections 1, 3 and 4 relate to Washington county ;

H. 803. To charter the town of Oakman in the county of Walker, State of Alabama;

H. 682. To authorize the board of mayor and aldermen of the town of Dothan to issue and negotiate bonds of said town to an amount not exceeding twenty thousand dollars for the establishing and maintaining water

works, fire department, improving the streets of said town and for paying off the indebtedness of the town ;

H. 951. To increase the number of aldermen in the town of New Decatur, in the county of Morgan, to eight; and to. authorize the corporate authorities to fix within prescribed limits, the future terms of office of the aldermen of said town;

H. 941. To incorporate the "Olivet Club;"

H. 271. To amend sections 1, 2, 15, 16, 19, 20 and 21 of an act to create the office of inspector of mines, and to prescribe the duties and powers of such office, approved February 16th, 1893 ;

H. 162. To amend subdivision 4 of section 453 of the code;

H. 722. For the relief of James Coyles Bullock and to change the name of said James Coyles Bullock to James Coyle Barry;

H . 739. To provide more efficient means of collecting solicitors fees in this state;

H. 830. To authorize the commissioners court of Cherokee, Etowah and DeKalb counties, to levy a tax for working the public roads of said counties and let out said roads by contract;

H . 365. To authorize suits to be brought against receivers without the previous leave of the court;

H. 890. To define the powers and duties of the board of police commissioners of Birmingham, Alabama, and to regulate the police department of said city, and provide for. the appointment of such commissioners;

H. 462. To provide for the holding of the regular terms of the circuit and chancery courts when the judge or chancellor fails to attend or when impeachment charges are pending against such judge or chancellor ;

H. 756. To amend the revenue laws of the state of Alabama;

H. 412. To amend the charter of the Southern Associated Press, to ratify and confirm all its acts and doings, and all the acts and doings of its stockholders, subscribers to stock and officers before and after the issuance of its charter, and to confer on it additional powers, rights and liabilities;

H. 999. To amend and re-enact sections 3018, 3022, 3025, 3026, 3027, 3028, 3041, and to amend section 3048 of the code of Alabama ;

H. 197. To provide for exemptions from administration, in favor of the minor child or children, of certain property on the death of their mother, and to provide for the setting apart thereof;

H. 762. To give physicians a lien upon the personal property of any person for the payment of medicines furnished and services rendered to such person or his family not to exceed the sum of ten dollars per year and to provide for the enforcement of such lien, so far as relates to Dallas county;

H. 350. To regulate the election of county commissioners in Lawrence, Blount, Geneva, Cullman and Winston counties.

J. R. CURTIS,  
Chairman.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The president having signed the following bills your signature thereto is requested.

s. 367. To incorporate the Madison Loan and Trust Company;

s. 248. To amend section 1 of an act entitled an act to regulate the practice and procedure in the circuit court in Talladega county in this state, approved, December 13th, 1894;

s. 80. To amend section 4 of an act entitled an act to establish a branch Agricultural Experiment Station and Agricultural School in Southwest Alabama, approved February 21st, 1893 ;

s. 102. To amend section 4511 of the code ;

s. 295. To amend an act to require all corporations to pay a fee or license for the use of the state, before commencing business in this state, approved February 18th, 1893;

s. 425. To ratify and confirm the charter of the Standard Building and Loan Association of Montgomery, Alabama, The Mutual Benefit Building and Loan Association of Montgomery, and The Home Building and Loan Association of Montgomery, corporations under the general laws of the state, and to authorize them to issue what is known as "paid up" stock, and to lend money on the stock of their members;

s. 430. To fix the right of the city of Mobile to certain real estate;

s. 485. To change the name of the Sheffield and Tusculumbia Street Railway Company to Sheffield and Tusculumbia Railway Company, and to increase its powers;

s. 452. To authorize the auditor to execute a deed to Amos F. Hoger to the east ½ of northeast quarter of section 16, township 24, range 22, in Tallapoosa county, Alabama, conveying the title of the state in said land to Amos F. Hoffer;

s. 239. To amend section 2348 of the code ;

s.423. For the more efficient government of the district of Opelika, by increasing the number of commissioners from five to seven, one of whom to be president, and one recorder, prescribe the duties of said president and recorder, and authorizing the election of said president, and recorder, and also the election of clerk and chief of police, and other subordinate officers by said board;

s. 154. To regulate the management of state and county convicts;

s. 334. To amend an act to incorporate the Tuskegee Female College, approved February 22nd, 1854, and an act to amend an act entitled an act to incorporate the Tuskegee Female College, approved March 28th, 1873, so as to prohibit the sale of spirituous, vinous and malt liquors within four miles of the Alabama Conference-Female College;

s. 428. To provide a system of water works for the city of Greenville, and to authorize the mayor and city council of Greenville, Alabama, to issue bonds for an amount not exceeding twenty thousand dollars for the purpose of purchasing a system of water works ;

s. 403. To provide for the working and improving of public roads situated in a part of Mobile county;

s. 223. To incorporate the Farmers Mutual Insurance Association of the state of Alabama ;

s. 472. To establish a charter for the city of Columbiana in Shelby county, Alabama ;

s. 308. To limit the time within which the old bonds of the state may be exchanged for the new bonds authorized by the act, approved February 23rd, 1876 ;

s. 82. To protect fish in Deer River, East Fowl Riv-

er, West Fowl river, Little river, and the tributaries of those streams in Mobile county ;

s. 200. To incorporate the Hunisville Primitive Baptist Graded and Industrial School;

s. 380. To authorize the mayor and aldermen of Birmingham to issue bonds of said city to fund and retire the outstanding bonded indebtedness of said city;

s. 490. To define train robbing and fix a punishment therefor;

s. 355. To appropriate a certain portion of the two and three per cent. fund to be paid into the treasury after February 18th, 1895;

s. 376. To confer additional powers on the mayor and aldermen of Birmingham, and to amend the charter thereof;

s. 325. To amend an act entitled an act, for the relief of needy confederate soldiers and sailors, residents of Alabama, who from wounds or other cause are now unable to earn a livelihood, and for the widows of such who were killed or died in said war and have not since remarried, approved February 13th, 1891.

W. L. CLAY,  
Secretary.

#### SIGNING BILLS.

The speaker of the house in the presence of the house immediately after their titles had been publicly read by the clerk signed the bills, whose titles are set out in the foregoing message from the senate and report of committee on enrolled bills.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the house amendment to the senate bill

s. 423. For the more efficient government of the district of Opelika, by increasing the number of commissioners from five to seven, one of whom to be president, and one recorder, and authorizing the election of clerk and chief of police, and other subordinate officers, by said board ;

And has amended as therein shown, and as amended has passed the following house bills :

H. 462. To provide for holding circuit and chancery courts, when the judges or chancellors thereof fail to attend regular terms by a state judge, and to prescribe his powers, duty and pay ;

H. 350. To regulate the election of county commissioners in Lawrence, Blount, Geneva, Cullman and "Winton counties;

And has passed the following house bills :

H. 1179. To incorporate the Industrial Insurance-Company of Birmingham;

H. 1225. To amend an act entitled an act for the better suppression of gambling, approved February 26th, 1889, so as to allow pool selling within a place known as the fair grounds in Jefferson county, Alabama ;

H. 1171. To authorize the county treasurer of Lamar county, to register against the fine and forfeiture fund of said county a claim of L. S. Metcalf, ex-sheriff, for fees due him for services in county court of said county ;

H. 670. To pay W. W. Waite, sheriff of Clarke county, for the removal of George W. White, charged with a felony, from LaFayette, in the state of Louisiana, to Grove Hill in Clarke county, Alabama ;

H. 1224. For the relief of the estate of L. J. Hand, deceased;

H. 215. To authorize Mrs. Josephine S. Mizell, widow of H. H. Mizell deceased, to sell the dwelling house and lot lately belonging to said deceased located in Haw Ridge, Coffee county, Alabama;

H. 541. To authorize the city of Eufaula to buy, lease, contract for, build, construct, maintain and operate a system of water works and a gas or electric light plant, or gas and electric light plants in said city and vicinity.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has concurred in the house amendments to the senate bills

s. 200. To incorporate the Huntsville Primitive Baptist Graded and Industrial school;

s. 82. To protect fish in Deer river, East Fowl river,

West Fowl river, and the tributaries of those streams in Mobile county ;

And has amended as therein shown, and as amend has passed the following house bill:

H. 890. To define the powers and duties of the board of police commissioners of Birmingham, Alabama, and to regulate the police department; of said city and provide for the appointment of such commissioners ;

And has passed the bills

H. 722. For the relief of James Coyles Bullock, and change the name of said James Coyles Bullock to James Coyles Barry;

H. 402. To repeal sections 1, 3 and 4 of an act entitled an act, to provide for and regulate the fine and forfeiture fund in the counties of Monroe, Macon, Washington, Jefferson and Randolph, so far as said sections 1, 3 and 4 relate to Washington county ;

H. 162. To amend sub-division 4 of section 453 of the code.

#### MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has amended as therein shown, and as amended has passed the following house bills :

H. 412. To amend the charter of the Southern Associated Press, to ratify and confirm all its acts and doings, and all the acts and doings of its stockholders, subscribers to stock and officers, before and after the issuance of its charter, and to confer on it additional powers, rights and liabilities ;

H. 762. To give physicians a lien upon the personal property of any person for the payment of medicines furnished and services rendered to such person or his family not to exceed the sum of ten dollars per year and to provide for the enforcement of such lien;

And has passed the following house bills :

H. 588. To amend certain sections of the charter of the town of Oxford and to give said town of Oxford power to issue bonds ;

H. 1153. To confirm the incorporation of the Birmingham Dental College and to enlarge the powers of said college

H. 761. To incorporate the Ozark Cotton Mill Company;

H. 223. To incorporate the Coosa Iron and Railroad Company;

H. 596. To regulate the trial of certain misdemeanors committed in Russell county ;

H. 781. To establish Pleasant Hill district in Jefferson county, Alabama;

And has passed the following house bills :

H. 365. To authorize suits to be brought against receivers without the previous leave of the court;

H. 951. To increase the number of aldermen in the town of New Decatur, in the county of Morgan, to eight; and to authorize the corporate authorities to fix within prescribed limits, the future terms of office of the aldermen of said town;

H. 682. To authorize the board of mayor and aldermen of the town of Dothan to issue and negotiate bonds of said town to an amount not exceeding twenty thousand dollars for the establishing and maintaining water works, fire department, improving the streets of said town and for paying off the indebtedness of the town ;

H. 830. To authorize the commissioners court of Cherokee, Etowah and DeKalb counties, to levy a tax for working the public roads of said counties and to let out said roads by contract;

H. 941. To incorporate the "Olivet Club ;"

H. 197. To provide for exemptions from administration, in favor of the minor child or children, of certain property on the death of their mother, and to provide for the setting apart thereof;

H. 739. To provide more efficient means of collecting solicitor's fees in this state.

W. L. CLAY,  
Secretary.

#### SENATE MESSAGE.

The house concurred in the senate amendments to the following house bills whose titles are set forth in the foregoing message from the senate :

H. 462.

Yeas 43, nays 9.



Yeas:

Messrs. Banks, Bellinger, Boykin, Brown of Conecuh, Cole, Cook of Talladega, Dale, Davis, Ellis, Fleming, Fletcher, Forman, Fuller, Fulton, Gewin, Gibbons, Grant, Jackson, John, Kyle, Lipscomb, Manning, Maples, Mastin, Mayfield, Mahan, Ott, Perry, Roach, Rogers, Rowe, Savage, Screws, Seale, Smith of Autauga, Smith of Butler, Smith of Greene, Smith of Mobile, Taylor, Turner, Ward, Williams of Bullock, Williams of Henry—43.

Nays:

Messrs. Speaker, Brown of Russell, Calhoun, Camp, Deans, Ewing, Graham, Routon, Scarborough—9.

H. 350.

Yeas 60, nays 0.

Yeas :

Messrs. Speaker, Banks, Barren, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Calhoun, Cameron, Cole, Cook of Talladega, Cook of Wilcox, Curtis, Dale, Davis, Deans, Ewing, Fleming, Fletcher, Forman, Franklin, Fuller, Fulton, Gains, Gewin, Gibbons, Graham, Grant, Hearn, Jackson, Jinks, John, Kelly, Kyle, Lipscomb, Maples, Mayfield, Meadows, Mahan, Mixon, McClusky, McCorvey, McQueen, Ott, Prowell, Reaves, Roach, Bobbins, Robinson, Rowe, Sanford, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Mobile, Tuck, Ward, Williams of Henry—60.

H. 890.

Yeas 54, nays 0.

Yeas :

Messrs. Speaker, Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Calhoun, Cameron, Cook of Talladega, Curtis, Dale, Davis, Deans, Ewing, Fleming, Fletcher, Ford, Franklin, Fuller, Fulton, Graham, Grant, Graves, Jackson, John, Kennedy, Kyle, Langley, Lipscomb, Manning, Maples, Mastin, Mayfield, Mahan, McQueen, Perry, Reaves, Roach, Robbins, Robinson, Rogers, Rowe, Sanford, Scarborough, Screws, Smith of Autauga, Smith of Butler, Smith of Mobile, Wheelless, Williams of Bullock, Williams of Henry—54.

H.412.

Yeas 51, nays 1.

Yeas:

Messrs. Speaker, Banks; Beasley, Beeson, Bellinger,

Boykin, Brown of Conecuh, Brown of Russell, Burks, Cameron, Cook of Talladega, Dale, Davis, Deans, Ewing, Fielding, Fleming, Fletcher, Franklin, Fuller, Fulton, Gains, Graham, Grant, Graves, Harris, John, Kyle, Lipscomb, Maples, Mastin, Mayfield, Mahan, Mixon, McQueen, Ott, Perry, Prowell, Rand, Reaves, Roach, Robbing, Robinson, Rogers, Rowe, Scarborough, Screws, Smith of Autauga, Taylor, Ward, Willett, Williams of Henry—51.

Nay:

Mr. Kelly.

H. 762.

Yeas 53, nays 1.

Yeas :

Messrs.' Speaker, Banks, Beasley, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Cameron, Cook of Talladega, Dale, Davis, Deans, Ellis, Ewing, Fleming, Fletcher, Forman, Franklin, Fulton; Gewin, Gibbons, Graham, Grant, Graves, Kelly, Kennedy, Kilbrew, Kyle, Langley, Lipscomb, Maples, Mayfield, Mahan, McQueen, Ott, Perry, Prowell, Roach, Robbins, Robinson, Rogers, Rowe, Routon, Savage, Scarborough, Smith of Autauga, Smith of Greene, Summers, Ward, Willett, Williams of Bullock, Williams of Henry—53.

Nay:

Mr. Mastin—1.

#### PROTESTS BY MR. JOHN.

Mr. Speaker:

Under the provisions of the act to regulate the management of state and county convicts, passed at the present session of the general assembly of Alabama, the state is again committed to the lease system with all its inherent evils.

Against this action I do solemnly protest:

For the lease system is founded on the idea of revenue only—revenue of costs to the officers of court which has been the efficient cause of multiplying convicts threefold in ten years, while the population only increased twenty two per cent; revenue to the hirer, whose only thought by day and by night, is : "How much money can I coin out of the sweat and life-blood of the convicts, at the least cost to me?"

For the lease system means to perpetuate the working of convicts in mines, wherein they cannot be prevented from committing sodomy at will, and whereby they are nearly all made more debased brutes than ever, to be turned loose upon a small part of the people, in a concentrated mass, thus threatening the overthrow of Christian civilization.

For that act was designed to continue in power the present inefficient administration of the convict system, by which tens of thousands of dollars have been diverted from the state into the coffers of the lessee.

For that every democrat who voted for that act, violated his party's most solemn pledge, twice made, to reform the convict system and take them out of the mines.

For that the whole system is a shame to any Christian state, and cannot be too soon blotted out forever.

Respectfully submitted, to be spread on the journal.

SAM WILL JOHN.

Mr. Speaker:

The most important duty that this general assembly had to perform, was to provide the ways and means to carry on the state government, that it might administer justice, execute the laws and protect the liberties of the people.

Immediately upon the meeting of the general assembly, we were officially informed by the Governor of the great financial embarrassment of the State, and of the pressing necessity for speedy action and certain relief, in a message that is remarkable for its simple, plain statements, yet so forcible that he who runs may read.

This condition was and is, simply that the state is well nigh bankrupt. This did not come from wasteful expenditures nor from extravagant appropriations, nor from dishonest officials, but it was all the direct, immediate result of a great and rapid contraction of the currency, and of turning over the treasury, the financial policy and laws of the federal government to the unbridled lust for unlawful gain of the bankers, whereby, in a few months, business was paralyzed, enterprise killed and labor unrewarded, and many of our people reduced to beggary and want and the revenue of the state below the sum justly required for its support.

Recognizing the necessity for prompt, intelligent action, and that large amounts of the most valuable properties in the state, had altogether escaped taxation or been grossly undervalued, the finance committee of the senate early in the session framed extended amendments to the laws regulating the assessment of taxes, or that part of the laws on the general subject of taxation, popularly called the "machinery" of the revenue law. This was submitted to a joint committee of the general assembly, during recess, which assigned to me the duty of preparing amendments of the statutes defining the subjects of taxation. These were prepared in the light of the most recent decisions of the supreme courts, state and federal, and approved by the joint committee and incorporated in a general bill, which was introduced in this house by the representative from Calhoun county (Mr. Kelly), and referred to the committee on ways and means. Had it been enacted it would have relieved the state in a year. This measure met unrelenting opposition and wilful misrepresentation before the committee, and in a few days, or rather nights, a powerful lobby of bankers and money lenders assembled from all quarters, and by fair means and foul opposed the reporting of the bill to this house, and held it in committee till only eight or nine legislative days remained for its consideration in the two houses.

Upon its being reported to the house, a bitter, factional fight was made against it; fillibustering and motions for delay were freely and constantly resorted to, till late in the day of the 47th legislative day when, for the fifth time, a determined effort was made to defeat the bill, which failed, whereupon the friends of the measure demanded the previous question, and on the passage of the bill, every opponent of the Democratic party in the house, with the single exception of the representative from Chilton county, and the champions of the moneyed interests and tax-skulkers, defeated the bill.

In this dire extremity the speaker, by almost super-human efforts and personal appeals, obtained a reconsideration of the vote and secured a reference of the bill to a special committee of three friends of the bill and three opponents—this was all that could be done.

This committee in order to secure any increase what-

ever in the revenue, for the state, was forced to strike-out the provisions of the bill which, if enacted, would have required corporate capital, for the first time, to bear some part of the public burden, and would also have made the money lenders who enjoy the protection of the government and courts, bear some small part of the cost of maintaining the government.

They also were forced to allow a tax-payer to deduct the amount of his indebtedness from the amount of solvent credits owned by him, and return only the excess for taxation for the year 1895—a special privilege, favor, shown to no other class, thus opening wide the door for frauds and perjuries and the escape of millions of property from taxation.

They were forced to submit to have the section of the bill repealing §1128 of the code, stricken out. This section has for many years been a blot on our statute book. It has enabled the persons operating railroads in this state, to claim that they paid the salaries and expenses of the railroad commission, and therefore the legislature should not reduce said salaries, and it also gave them a cover to protect them from paying an excise tax, which nearly every state levies. It has for years, ever since Commissioners Bragg, Crook and Ball made such plain recommendations for legislation, looking to the protection of the people from the unjust discriminations and hard extortions, by persons operating railroads, been held as a rod of terror over the legislature and commissioners, to effectually exempt the railroads from just, fair control by the-state.

They were also forced to allow shareholders in banks, to deduct from the just value of their shares, the assessed value of the real property of the bank, thus allowing a class of persons to deduct from the value of their property the value of another's property—an undue advantage, wholly inexcusable and not allowed any other class of our people ; and of which our supreme court has said :

"To hold that a shareholder in a national bank is entitled to have his assessment reduced, because some part of the capital stock is invested in property, and taxed as such, would be to accord to him a double discount, while no other tax-payer is favored so much."

In addition, they have required that the shares be-

assessed to the bank, which does not and cannot own them, for the sole purpose of enabling the bank to fight off taxation, in a manner that an honest man cannot do.

For these reasons, and many others that can easily be given, I do most earnestly and solemnly protest against such unjust, unconstitutional action, and this utter disregard of the rights of the people, whereby the single tax system, in its most odious and unjust form, is fastened upon individuals owning small amounts of real property.

SAM'L WILL JOHN.

Mr. Davis moved to strike from the journal the protest of Mr. John in reference to the revenue bill.

Mr. Davis' motion was lost.

Yes 22, nays 45.

Yeas:

Messrs. Speaker, Beasley, Camp, Curtis, Davis, Fletcher, Gain8, Gibbons, Graham, Kelly, Kennedy, Knight, Kyle, Mayfield, Ott, Robinson, Sanford, Scarborough Screws, Smith of Butler, Willett—22.

Nays:

Messrs. Banks, Beeson, Bellinger, Boykin, Brown of Conecuh, Brown of Russell, Burks, Cameron, Cole, Deans, Ellis, Ewing, Fleming, Forman, Franklin, Fulton, Gewin, Graves, Harris, Hill, Jackson, Jinks, Lipscomb, Manning, Maples, Mastin, Mahan, Mills, McCorvey, O'Brien, Perry, Prowell, Reaves, Roach, Rogers, Rowton, Savage, Smith of Greene, Smith of Mobile, Taylor, Ward, Wheelless, Williams of Bullock, Williams of Henry—45.

Mr. Kelly offered the following resolution :

Resolved, That this house receive the protest of the gentleman from Jefferson, in obedience to the constitution, but it denies the correctness or the justice of the same.

Mr. Hill offered the following as a substitute :

Whereas, It has been urged by a prior resolution, introduced by the gentleman from Jefferson, that members of this house have been induced by unworthy motives to cast their vote against a measure, and whereas such is not the fact,

Therefore be it resolved, That this house does hereby repel and repudiate the statements in said resolution contained,

And Mr. Hill's substitute was adopted.

Mr. O'Brien offered the following resolution, which was adopted:

Whereas, it is a time honored custom at the close of the session of the general assembly for the members thereof to give expression of their feelings toward the officers with whom they have been officially connected ; and, whereas, such expressions have usually been directed by the spirit of courtesy in the utterances of approval and thanks; and,

Whereas, it is the undivided opinion of this house that we have been unprecedentedly felicitated in the selection of our officers at this session, therefore be it

Resolved, by the house of representatives, That we do tender our most sincere thanks to the Hon. Thomas H. dark, speaker of this house, for the able and considerate manner characterizing his discharge of the duties of that responsible and difficult position in a manner that has promoted throughout the success of business, the maintenance of order and the pleasurable feeling of its members ; that each and every member of this house will return to their homes fully and durably photographed in memory with his exalted intellectual and moral worth, and with a glow of pride that Alabama is blessed with one who, in being honored, but honors his state. Be it further

Resolved, That the clerk, Mr. Massey Wilson, needs no expression from us to assure him that he has our heartfelt thanks for his unvarying kindness, fidelity and courtesy in the official discharge of the duties constantly devolving upon him, and that in the future journey of life we will have lived long and passed into the deeper shades of the sunset side of the hill thereof, 'ere we fail to remember, if ever, our good and amiable, clerk, his genial face beaming with integrity and unaffected sincerity. Be it further

Resolved, That the thanks of this house are also due and are hereby tendered to Mr. John Proctor, our able assistant clerk, Mr. Val Taylor, our efficient and courteous engrossing clerk, and other officers and servants thereof.

Resolved, That these resolutions be spread upon the minutes and copies thereof be furnished the papers of the city.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The senate has adopted a joint resolution herewith sent, raising a joint committee consisting of one on the part of the senate and two on the part of the house, to wait on the governor and ascertain if he has any further communication to transmit to the general assembly.

Committee on part of senate : Mr. Samford.

W. L. CLAY,  
Secretary.

SENATE MESSAGE.

The house concurred in the resolution set out in the foregoing message from the senate and the speaker appointed on the committee Messrs. McQueen and Wood,

And on motion of Mr. Fletcher the house adjourned sine die.



## INDEX.

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Prepared by MASSEY VILSON, Clerk of the House.

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## ABUSIVE LANGUAGE—

Competent testimony in. See evidence.

## ABBEVILLE, TOWN OF—

To amend incorporation. See incorporations.

## ACTS AMENDED—

Convict system, to create, H. 14. 63.

Partition proceedings, publication against defendants, H. 30. 65, 122, 156, 437, 449.

Elections, to further regulate, section 11, H, 44. 66.

Do. H.628. 423, 842.

Do. Section 28, H. 649. 453.

Do. Section 13, H. 650. 453,

Do. Section 6, H. 651. 453.

Do. Section 5, H. 652. 453.

Do. Section 3, H. 653. 453.

Do. Sections 5, 35, 36, 49, s; 459. 887, 939, 1004, 1004.

Do. Certain sections, H. 194. 120.

Corporations, frauds by directors, to prevent, H. 112. 90, 136, 210, 396, 401.

Do. s. 88. 311,323.

Jurors, in the several counties, to secure competent, H. 152. 112,341.

## ACTS AMENDED—(Continued.)

- Cotton and woolen factories, to encourage building, H. 234. 132.
- Corporations, authorizing to alter charters, H. 235. 132, 202, 635, 824.
- Insurance companies, \$100,000 capital, H. 244. 133.
- Pharmacy, to regulate. practice, &c., H. 246. 133, 170, 406, 895.
- Inspector of mines, to create office, H. 271. 147, 222, 650, 1037, 1053, 1090.
- Real estate, to compel determination of claims to, H.120. 91, 151, 332.
- Do. s. 251. 784, 795.
- Governor, authorizing to re-convey to U. S. certain lands, H. 326, 169, 340, 577, 973.
- Corporations, requiring to pay license, H. 366. 186,222, 767.
- Do. S. 295. 827,885,1069,1091.
- Married women, relieving of non-age, H. 270. 147, 233, 630, 1080.
- Stock of corporations, to authorize increase, p. 453. 245, 321.
- Do. s. 131. 546, 711, 766, 829.
- Confederate soldiers, &c., for Belief of, H. 476. 267, 458.
- Do. H. 878. 588.
- Do. s.325. 828, 912,1076, 1093.
- Do. Authorizing commissioners court to aid, s. 207. 546, 902.
- County superintendents-of education, to elect, H. 371. 199,271,825.
- Dogs, for the .protection of, s. 68. 311, 378, 414, 421.
- Public printing, to provide for, s.119. 311, 322, 498, 514, 519.
- Oysters, to regulate taking of, s. 125. 379, 445, 457, 513.
- Do. H . 713, 530, 592, 684, 1087.
- Agricultural school at Albertville, &c H. 533. 318, 748,876.
- Agricultural school in southwest Alabama, s. 80. 754,812,1069,1091.

## ACTS AMENDED—(Continued.)

Insurance companies, to regulate taxation of, H .  
515. 283,321,614,622,890.

Do. s. 180. 430, 483, 615,622.

Mechanics' liens, to provide for, s. 13. 387, 483.

Street railways, electric light or gas company,  
consolidation of,. H. 714. 530,645.

Quarantine, to establish, H. 726. 531,644,682.

Do. s. 371. 982, 1017.

Solicitors, pay of, to fix, H. 910. 605.

Elections, contest law, H. 981. 630.

Judgments, to provide for record of, H. 1036.  
665, 792.

Do. H. 1121. 720.

Industrial school for girls, to repeal section 12,  
s. 212. 688.

## ACTS REPEALED—

Women and children, to prevent working more  
than eight hours in manufacturing business,  
H. 65. 71 137, 648.

Do. s. 251. 203, 246, 275, 284.

Hotel keepers, for protection of H. 222, 130, 248.

Agricultural experiment station, to establish in  
cane brake, H. 599. 377.

Do. to establish at certain places, H. 602. 377.

Do. H. 603. 377.

Do. H. 604. 377.

Geological survey, to revive and complete, H. 620.  
422

Exemptions, title to vested in widow and minors,  
H. 656. 454.

## ADJOURNMENT—

For recess, time of, 242, 279, 339, 359, 363, 510.

Final time of, 910, 990

See also joint resolutions.

## ADVERSE POSSESSION—

Grantee of property so held may sue in his own  
name, s. 186. 457, 59.

## AFTEN—

Agricultural school at, H. 1068. 668, 710.

## AGRICULTURAL AND MECHANICAL COLLEGE—

To incorporate alnmni, see incorporations.

## AGRICULTURAL SCHOOL-

TO establish at certain places, H. 2079. 694. 842, 896.

Do. to amend, see acts amended.

Do. see Hamilton.

## ALIENS—

Holding of lands by, to regulate, see lands.

## ALABAMA—

Baptist colored normal and theological school, to amend, see incorporations.

## ALABAMA—

State mutual assurance company, to incorporate.

See incorporations.

Mutual fire insurance company, to incorporate.

See incorporations.

Penny saving and loan company. See incorporations

Institute for deaf, to change name of, H. 567. 360, 399.

State troops. See state troops.

Conference female college, to amend incorporation. See incorporations.

Reports, digest, of state subscription. See digest.

## ALBERTVILLE—

To amend charter. See incorporations.

Agricultural school, to amend. See acts amended.

## ALCO--

Repealing act repealing incorporations, H. 767. 628, 673.

Seperate school district, to repeal act, H. 368. 628, 749.

## APPEALS—

- To allow, by one or more parties, H. 198. 121, 669.
- To limit to supreme court, H. 396. 220.

## APPROPRIATIONS—

- For feeding prisoners, H. 241 133,188, 345, 409, 419.
- General, H. 290. 149,221,277, 380, 395, 402, 410, 431,473.
- J. R. Stegall, for boarding witnesses in Tally case, H. 292. 150, 188, 126, 820, 850.
- For Richard Walker, for legal services for same, H. 293. 150,188, 301, 430, 460.
- To pay rewards for absconding felons, H. 380. 200, 259, 817, 990.
- Encampments for 1895-6, expenses for, H. 470, 257, 458, 757, 889.
- Do. H. 936. 607.
- Session of 1892-3, to pay expenses of, H. 485. 269,325,576,756.
- Interest on loan, to pay, s. 118. 274, 322.
- Mine inspector, for expenses of, H. 550. 337.
- Acts &c., expenses of distributing to cover deficiency, H. 560; 338,458.
- Insurance companies, to refund tax improperly paid, H. 661. 454, 811.
- Do. s. 457. 929, 977.
- Articles for general assembly, to pay for, H. 1199. 841, 902,931,1079, 1087.
- Chancellor northern division, judges and solicitors 12th and 13th circuits, salaries, H. 1205. 864, 940, 1080.
- Judge of 13th circuit and solicitor, H. 1216. 900, 920.

## ANNISTON—

- City court of, to amend act as to, H. 407. 229, 669.
- Justices in beat, jurisdiction of, H.134; 232,322 416, 891.

## ANNISTON—(Continued.

Hose company, to incorporate: See incorporations.

Separate school district, to amend, H. 749. 534, 696.

Do. s. 250. 675, 764, 1028, 1059.

Charter, to establish new. See incorporations.

Water supply company, H. 441. 244.

## ANIMALS—

To provide for humane killing of maimed, H. 236. 132.

To prevent abandonment of maimed, &c., H. 237. 132,202,635.

## ANTHONY, SUSAN, B.—

Tendering use of hall. See resolutions.

## ANDALUSIA—

Prohibition at, H. 994. 640,698,836,1018.

High school, to incorporate. See incorporations.

## ARSON—

To fix degree, &c., H. 66. 71.

Threat to commit, to punish, to communicate, H. 496. 281, 544.

## ASSIGNMENTS—

To regulate the administration of, H. 29. 65, 798.

Deeds of, to be recorded, H. 126. 91,246, 1056.

## ASHVILLE—

To amend incorporation. See incorporations.

## ASSIGNEE—

Venue of suits against, s. 240. 530, 734.

## ATTALLA—

To authorize to issue bonds, H. 151. 112, 122, 157, 273.

To incorporate normal college at. See incorporations.

## ATTACHMENT—

To provide for equal distribution, of proceeds of Sale made, H 125. 91.

## ATHLETIC CLUB—

Additional powers upon, H. 732. 532.

## AUTAUGA MFG. CO.—

To incorporate, see incorporations.  
DeBardelaben, Wassen L. for relief of, H. 1013. 642.

## AUTAUGA CO.-

U. S. Surveys in, to perpetuate, H. 896. 604,697, 717,1080.

## AUDITOR—

To draw warrants for such amounts as desired, s. 110. 367.  
Report of office, 484.  
Clerks in, to provide for additional, S. 382. 754, 903, 1026, 1059.  
Salary of, to fix, s. 397. 808,903.

## AVONDALE—

To amend act establishing charter; see incorporations.  
Public schools; tax for, H. 1215. , 884, 902, 966.

## BATCHELOR, Wm. B., OF ELMORE CO—

Minors of, to relieve of non-age. See Elmore County.

## BALDWIN COUNTY—

To repeal act regulating election county commissioners, see Bullock County.  
Repealing to abolish office of tax collector, H. 207, 129, 187, 557, 757,  
Moore, T. S. for relief, s. 330. 754, 795, 993, 1022.  
Slaughter, W. H. & H. W., for relief, H. 1184. 789,902.

## BANKING—

General system to establish, H. 545. 338.  
Savings banks, to regulate, H. 1108. 707, 843.

## BARBOUR COUNTY—

To prevent tying stock on public roads, H. 173.  
117, 152, 386, 547, 550.  
For the preservation of birds in, H. 387. 219,  
247, 682, 999, 1019.  
Bonds, to authorize to issue, H. 543. 336, 365,  
440, 1060, 1088.  
Louisville, sale of liquors in, to regulate license,  
H. 544. 336, 425, 618, 990.  
Fine and forfeiture fund of, to regulate, H. 545.  
337, 458, 595, 772, 797.  
Willis, Jas. J. S. Tax collector, for relief of, s.  
46. 400, 457, 503, 652, 742.  
Lands, listing by tax assessor, H. 539. 336, 483.  
Dogs, to regulate keeping, H. 897, 604, 673, 896.  
Circuit court, time of holding, H. 954, 626, 672.  
Board of revenue, to establish H. 1031, 664, 763,  
914, 1056.  
Do. s. 471, 919, 937.  
Muishem, Nathan, heirs of, patent to, H. 1112.  
707.  
Justice in, may sentence for costs, H. 1120, 730.  
Witness fees in, s. 424. 918, 939.

## BAILEY SPRINGS UNIVERSITY—

To incorporate. See incorporations.

## BAKER, JNO. A. AND SURETIES—

For relief. See Jefferson county.

## BESSEMER, CITY OF—

To authorize issuance of bonds, H. 20. 64, 115,  
125, 197, 204.  
To amend charter. See incorporations.  
To confer on mayor jurisdiction of j. p., H. 73.  
72, 151, 406, 506, 550.  
Building and loan association, to confirm charter.  
See incorporations.  
Land and Improvement Co. See incorporations.



## BEDSOLE, E. F.—

For relief, H. 1160. 762.

## BECK, M. F.—

See Lee county.

## BILLS OF EXCEPTION—

Signing of. See pleading and practice.

## BIRMINGHAM, T. C.—

Claim of certain lands, 107, 228.

## BIENVILLE WATER SUPPLY CO.—

Amending incorporation. See incorporations.

Do. " "

## BIRMINGHAM, CITY OF—

To define corporate limits, H. 189. 119, 379,436,  
726, 774.

Board of education of, to amend act creating,  
H. 482,268, 696,847, 1019.

Jno. H. Oldham and Geo. H. Bodeker, to require  
to pay, H. 511. 282,340,467,774.

Charter, to amend. See incorporations.

Inferior court, to establish, H. 689. 526, 593,  
700, 868, 898.

Bonds, mayor and aldermen to issue, H. 888.  
589.

Do. H. 1065. 668.

Police commissioners, powers and duties, H. 890.  
590, 960, 1090, 1095.

Corporate limits, to exclude certain territory, H.  
987, 630.

Fire protection, may maintain, H. 1061, 667.

Do. s. 379. 828.

Sale of real estate for taxes, to regulate, H. 1062.  
667.

Do. s. 378. 807, 1017.

Mayor and Aldermen, to confer additional pow-  
ers on H. 1063, 668.

Do. s. 376. 807, 811, 1070, 1093.

Burial lots, to authorize sale of, H. 1122. 731.

## BIRMINGHAM, CITY OF—(Continued.

Bonds, to issue, s. 380. 754, 885, 1069, 1093.  
 Inferior court, election of judge, 1013.

## BIRMINGHAM TRUST AND SAVINGS CO.—

Powers of. H. 1143. 747, 884, 955, 1089.

## BIRMINGHAM DENTAL COLLEGE—

To confirm incorporation. See incorporations.

## BIRMINGHAM MEDICAL COLLEGE—

To confirm incorporation. See incorporations.

BIRMINGHAM, MOBILE AND NAVY-COVE HAR-  
BOR R. R. CO-

Extending time for construction of harbor and  
 railroad. See incorporations.

## BIBB COUNTY—

To require fines of to be paid in money, H. 4. 62,  
 124, 141.

To repeal act regulating misdemeanors in, H. 3.  
 62, 139, 328.

To amend same, s. 31. 164, 323, 393, 429, 443.

To regulate election of county commissioners, s.  
 30. 154, 223, 400, 594, 614, 652, 726, 742,  
 743.

Election of county superintendents, to repeal as  
 to, s. 29. 228, 259.

Judge county court of, to fix compensation. H.  
 561. 359.

Waters of, to prevent explosion of dynamite in,  
 H. 618. 421, 545, 617, 736.

Justice of peace in, to enlarge jurisdiction of, H.  
 637. 424

Fourth circuit, added to, &c., see Lowndes county.

Labor agents, to license. See Jefferson county.

## BLACKMAIL—

Declaring certain acts to be, H. 631, See joint  
 resolution.

Defining, H. 805. 542, 671, 765, 1080,

## BLOUNT COUNTY—

Prohibition in Cleveland school district, H. 174.  
118, 138, 263, 418, 430.

Election of county commissioners. See Lawrence-  
county.

Oneonta, high school of, to increase powers, H.  
583. 375.

County court of, clerk for, H. 584. 375.

Summit school district, to create, H. 826. 583, 749.

Walker boundary line, H. 948. 609, 698, 837,  
1055.

Roads, overseers and apportioners of serve after-  
expiration of term, H. 955, 627, 886.

Solicitor may appoint two deputies for, H. 990.  
639, 792.

Lands held adverse in, to perfect title, s: 167.  
715.

Labor agents, to license. See Jefferson county.

## HUNTSVILLE—

To amend incorporation, s. 181. 602.

BLACK WARRIOR COAL, IRON, STEEL AND  
NAVIGATION CO—

To amend incorporation. See incorporations.

## BLOUNT SPRINGS COLLEGE—

To incorporate. See incorporations.

## BRIDGEPORT, CITY OF—

To regulate sale of liquor. See Jackson county.

To amend act to establish city court, H. 116. 90,  
669, 710, 986, 1055.

charter, to amend- See incorporations.

## BREWTON, TOWN OF—

Authorizing to issue bonds, H. 217. 130, 322,  
619, 735.

Separate school district in, to create, H. 765.  
537, 592, 618, 772, 799.

## BRANTLEY, TOWN OF—

To incorporate. See incorporations.

BRISTOW, MARTHA ANN, AND CHILDREN, OF  
CRENSHAW COUNTY—

To change name. See Crenshaw county.

## BRADLEY FERTILIZER CO.—

For relief of, H. 1187. 799,866,

## BROWN, GRANDISON—

To relieve of non-age, H. 1214. 884,902,

## BONDED DEBTS; ELECTIONS ON—

For municipalities, H. 507. 282.

## BODEKER, GEO. H—

For relief: See Birmingham.

## BOYKIN, CYRUS, OF WASHINGTON CO.—

For relief. See Washington county.

## BONDS, EXCHANGE- OF—

Limiting time, H. 818. 543,611.

Exchange of certain. See joint resolutions.

The several counties may issue, H. 1048. 666,  
710, 939.

Undertaking, sureties, &c., as to guarantor.

## BULLOCK COUNTY—

To repeal section 4 of act regulating elections of  
county commissioners of Pike, Bullock, Wash-  
ington, Balwin, Butler, Choctaw, Fayette,  
Shelby, DeKalb and Pickens counties, H. 5.  
62, 124, 141, 197, 204, 217, 283, 380, 431,  
449.

To repeal act to regulate trial of misdemeanors  
in, H. 53. 69, 136, 205.

Game law, H. 104. 89, 135, 190, 396, 401.

To prevent laborers violating contract, H. 175.  
118, 153, 372.

## BULLOCK COUNTY— (Continued.)

As to duty of tax collectors, and repealing certain section, s. 75. 165, 202, 499, 513.

Amending stock law, H. 294. 165, 187, 443, 890.

Public road sin, for improvement, H. 439. 244, 284, 415, 506, 594.

Section 1420 of code., to amend, H. 582. 362.

Criminal docket, time of taking up, H. 751. 535, 670, 687, 824.

Section 4197 4232 of code, to apply to, H. 940. 608, 672, 718.

Prohibition in beat 8, H. 1093. 705, 763, 878.

Fine and forfeiture fund, to regulate, s. 473. 947.

Justice of the peace, for relief of. See Greene county.

## BUTLER COUNTY—

To repeal act regulating elections of county commissioners. See Bullock county.

To require circuit clerk to act; as county clerk, H. 54. 70, 151, 344.

Board of revenue for, to establish, H. 475. 257.

## BUTLER COUNTY—

Doheimer, Eva, to relieve of non-age, H. 753. 535, 842.

Fine and forfeiture fund of, to regulate, H. 753. 535, 811.

Do. s. 473. 947, 978, 1031, 1058.

Stock law, to amend, H. 1032, 664, 750, 803, 1018.

Do. H. 1071. 693, 750, 970, 1081.

Code, section 750, to amend. See Covington county.

## BURGIN, JEFFERSON D., OF PICEENS COUNTY—

For relief. See Pickens county.

## BULLOCK, JAMES COYLES—

For relief, H. 722. 531, 696, 804, 1090.

## BUTTER, IMITATION OF—

To regulate sale, H. 1016. 642.698.

Do. s. 362. 918, 921, 1029, 1059.

## CALHOUN COUNTY—

As to election of county commissioners, H. 56.

70,124,177, 519, 560, 626, 639,660, 675, 690,  
869, 890.

To repeal garnishment law. See Dallas county.

Trial of misdemeanors in, to regulate, H. 408.

229.

Whiteside, Worth, to relieve of, non-age, H. 440.

244,324,508,891.

Nance, Mary A., vesting titles to certain lands in,

H. 742. 533, 670, 975, 1080.

Hanna, W.F., for relief of, H. 747. 533.

Stock law, H. 755. 536, 790.

Do. s. 373. 908,921,1027,1082.

Prohibition, amending act, H. 946. 609,672,782.

County site, election to locate. H. 1193. 841, 886,

915, 1019.

## CARBON HILL-

TO amend charter. See incorporations.

## CALERA—

To amend charter. See incorporations.

## CAMP,J. P.—

See- Cherokee county.

## CAPITAL—

To encourage investment of, H. 527. 317, 364.

## CAMP HILL, TOWN OF—

To incorporate. See incorporations.

## CASTELLOW, B. J.—

For relief of, H. 767. 537.

## CAPITOL—

Watchmen for, to regulate pay, H. 992. 639.  
 Servants for, to regulate hire of, H. 991. 639.  
 Roof, governor to repair. See resolutions.  
 To make repairs on, H. 856. 586.  
 Do. H. 949. 609, 632, 686, 905, 910.  
 To heat. See joint resolutions.

## CALHOUN, R. N., OF CONECUH COUNTY-

For relief. See Conecuh. county.

## CARROLTON—

Amending charter. See incorporations.

## CHOCTAW COUNTY—

To repeal act regulating election of county commissioners. See Bullock county.  
 To amend act to elect county superintendent, H. 262, 146, 399.  
 To require clerk to make index, s. 5. 164, 234, 500, 513.  
 Appointment of township trustees of, H. 247. 166.  
 Fine and forfeiture fund. See Marshall county.  
 Practice in circuit court, to repeal act as to, s. 109. 274, 323.  
 Jurors, to regulate drawing, &c., s. 209. 465, 699.  
 Hone, Tony, for relief, H. 844. 584.  
 Section 954 of code, to amend as to, H. 989. 631.

## CHEROKEE COUNTY—

Taff school, district in, H. 295. 165, 260, 390, 505, 550.  
 Fine and forfeiture fund, H. 369. 199, 234, 508, 890.  
 Bridge over Coosa River, election on, H. 668. 524, 748, 910, 1088.  
 Roads, to levy tax for, H. 830. 583, 644, 679, 1090.  
 Separate school district in, H. 899. 604, 749.

## CHEROKEE COUNTY—(Continued.)

Practice in, to regulate, H. 1033. 664,733.  
 Public school books, board, H. 1106. 707, 763.  
 Stock law, to amend, H. 1107. 707, 813, 958.  
 Section 3878, s. 222. 725,813.  
 Camp, J. P., for relief, H. 1200. 841, 939.

## CHANCERY PRACTICE-

To amend rule 52. See code 3471.  
 To regulate proceedings in bills of discovery. See pleading and practice.

## CHILTON COUNTY-

To incorporate university school at Clanton. See incorporations.  
 To record justice's judgments, H. 212. 129.  
 To perpetuate survey in, H. 261. 146, 345, 611.  
 Repealing game law, H. 296. 165, 187, 551, 735.  
 U. S. Surveys in, to perpetuate. See Autauga, county.  
 Court of county, revenue for, H. 346. 184, 425.  
 Popwell, John, deceased, for relief of heirs of, H. 390. 219.  
 Gregg, Henry T., for relief of, H. 669. 524.

## CHILDERSBURG—

To amend in corporation of See incorporations.

## CHAMBERS COUNTY—

Election of superintendent of education, H. 176. 118.  
 Time of holding chancery court. See Randolph county.  
 Agricultural school at Five Points, to establish, H. 1094. 705, 866.

## CHASTANG, P. W—

For relief of. H. 386. 201,325,597,990.

## CHATTAHOOCHEE BREWING COMPANY—

To confirm charter. See incorporations.



## CHARGES IN WRITING—

To regulate exceptions to, H. 87. 74, 136, 209, 437, 450.

Do. s. 65. 154, 234.

General, to prohibit giving. See pleading and practice.

## CHANCERY—

Northern division, to create, H. 626. 422, 593, 797, 887, 903, 951.

Time of holding court in, H. 1211. 865, 884, 941, 1056.

Sworn answers, when, and effect of. See pleading and practice.

16th district, northwest division, register's authority, H. 1060. 667, 733.

## CHARLTON—

To incorporate. See incorporations.

## CHILDREN—

Lives of. to better protect, H. 952. 610, 886.

## CITIZENS HOSE COMPANY—

To incorporate. See incorporations.

## CITRONELLE—

Prohibition in, to amend, H. 788. 539, 610.

## CLARKE COUNTY—

Game law, H. 7. 62, 124, 142, 197, 204.

Section 991 of code, to amend as to, H. 8. 62, 123, 143, 197, 204.

Indigent poor, to amend act as to, H. 61. 70, 124, 178, 272.

Section 997 of code, to amend as to, H. 11. 63, 123, 160, 212, 216.

School trustees, to exempt from road duty, H. 177. 118, 170, 406.

Fine and forfeiture fund, H. 178. 118, 138, 309, 450, 465.

## CLARKE COUNTY—(Continued.)

Do. H.993. 640,698, 915.

County court judge, fees of, H. 334. 182, 321, 411,505, 516.

Practice, repealing act to regulate, H. 335. 182.

County court clerk, to provide for, H. 336. 182, 271, 598, 848.

County court, trials by jury in, H. 337; 183,271, 354, 451,465.

Misdemeanors in, to repeal act as to, H. 338. 183, 379,683,848.

Election of county superintendent of education, H. 371. 199,271, 825.

Apportionment of school fund, to amend, H. 370, 199,241,285,405,922,935.

Waite. W.W., sheriff, etc., for relief of, H. 670. 524, 669,780,1089.

Agricultural experiment station and agricultural school, to establish branch, at Jackson, H. 942. 608. 749, 878.

## CLEBURNE COUNTY—

Garnishment law, to repeal, H. 110. 90.

State witnesses, compensation, H. 255. 135, 222, 512.

Public schools in, H. 265. 146,712.

Stock law, election on, s. 21. 580, 614, 1033, 1082.

Prohibition, to repeal as to Fruithurst, H. 1113. 707.

Circuit court, time of holding. See Clay county.

Tallesson, A. E. J., for relief of, H. 1190. 810.

## CLAY COUNTY—

Contest from. See election.

Talladega line, to define, s. 14. 144, 145, 202, 356, 381.

County commissioners, election of, H. 263. 146, 980.

Stock law in beats 7 and 8, H. 443. 244, 340.

Chancery court, to hold at Goodwater. See Coosa county.

## CLAY COUNTY—Continued,

Circuit court of, time of holding, H. 1152. 761, 794, 832.

Do. s. 429. 906,937,1010,1023.

Registrar, to pay, H. 1166. 763.

## CLAIMS DUE BY STATE—

In what amounts warrants drawn for. See Auditor.

## CLERK OR REGISTER--

May issue mandamus for, etc., H. 811. 542, 671.

## CLARKE, MRS. M. D.—

Of Washington county. See Washinton county.

## CLARK, GAYLORD B—

For relief, H. 727. 531,593,775,1019.

## COMMITTEES—

On rules, 9 and 10.

On joint rules, 117, 144.

Under section 34 of code, 85, 89, 484.

Standing,87, 145, 146, 623.

To visit cruiser Montgomery, 94, 116.

To investigate 2 and 3 per cent. fund, 94.

To invite clergy to open sessions with prayer, 94.

To consider releasing persons charged with crime, 117.

Tax laws, to investigate, 425, 429, 479, 522.

Inauguration, to investigate expense of, 4, 24. 469.

Supreme court reports, state rights in, 380,514.

Harbor of Mobile, to investigate charges for entering, 380.

To redistrict the judicial circuits, 144, 601,

To fix time to adjourn for recess, 145, 151, 359.

On road laws, 180.

To codify the laws, 260, 274.

Penitentiary, to visit, 260,274.

Superintendent of education, to examine office, 625,

## COSTS—

- To provide for payment of in city court of Talladega. See Talladega city court.
- To authorize payment in penitentiary cases, H. 320. 168,325,748,927.
- Sureties for, to provide for judgments against, H. 431. 232.

## COMMON CARRIERS—

- To require to give certain information when freight lost, H. 64. 71.
- Charges, to regulate, H. 960. 609.

## CONVICTS—

- To dispose of a portion of, wages, etc, H. 68. 71.
- To regulate management of, H. 201. 121.
- Do. s. 154, 887, 903, 943, 976, 986, 1025, 1092.
- Do. John's protest as to, 1098.
- Governor, power to dispose of, s. 200. See John's protest.

## CORPORATIONS—

- To provide for service of process on, H. 101. 76, 136, 209, 1067.
- To amend act to prevent fraud by directors, etc—  
See acts amended.
- Providing for service upon receivers of, H. 275. 148, 246, 815.
- Guaranteeing, to regulate, H. 170. 114,125, 709.
- Amending act authorizing to alter charters. See acts amended.
- Operating tram roads, etc., responsible for damages, H. 298, 166.
- Amending act requiring to pay license. See acts-amended.
- Increase of stock, to amend act authorizing. See acts amended.
- License, to require to pay. See taxation.
- Railroads, stockholders meeting, H. 821. 543, 611. 660, 661, 753, 861, 889, 1041, 1054.
- Do. s.314. 645.

## CORPARATIGNS—Continued,

- Municipal, defining cities, towns and villages, H. 827. 583,632.
- Private transfer of stock, to compel, H. 1186. 790, 812.
- Property of, purchased at forced sale, to be incorporated, H. 1206. 865,884.
- Owning railroads in this state, to hold meetings here, H. 1207. 865,885.

## CONVEYANCES—

- To legalize the registration of, H. 92. 74,151, 332,470,495.
- To provide for entry of payment on margin of record, H. 95. 75,152,368,491,518.
- Do. s.40. 154,232,500.
- Record of certain, to authorize, H. 1114. 708.
- Do. H. 1217. 900, 936.

## COVINGTON COUNTY—

- To repeal act to regulate pay of clerk and judge of, H. 109. 89,152,248,602,611.
- To regulate election of county commissioners of, H. 108. 89,125,190,387,396.
- As to commissioners districts in, H. 109. 89, 125, 191,387,396.
- To protect bridges, etc., from damage by raft, etc., s. 104. 216, 247, 357, 358.
- Constables fees, to fix, H. 671. 524, 610, 981, 1088.
- Lewis, B. H., E.G. Padgett and Jacob Neese, for relief, H. 995. 640,901.
- 12th circuit, added to, etc. See Lowndes county.
- Code, section 750, to amend, s. 254. 784, 936.
- Fine and forfeiture fund, H. 1188. 810,866.

## CONECUH COUNTY—

- To authorize to issue bonds, H. 145. 111.
- Do. s. 28. 181.
- Recording of certain conveyances in, H. 374. 199.
- Preservation of game in, s. 65. 204, 285,362,

## CONECUH COUNTY—Continued.

382.

Commissioners court of, to abolish, H. 419. 230, 611.

Board of revenue for, to, establish, H. 420, 230, 611.

Superintendent of education, to provide for appointment of.

Callahan, R. N., for relief, H. 975. 629.

Code, section 750, to amend. See Covington county.

## CONSTITUTION—

Proposing amendment to. See joint resolution.

Convention to amend, to provide for, H.528. 317.

Passes by railroad companies, to enforce provision. as to, H. 694. 527, 669.

## COCK FIGHTING—

To prevent, H. 172. 117.

Do. H. 238. 133,202,616,

## CONDITIONAL SALES OF PERSONALTY—

To require agreements to be recorded. See personal property.

## COFFEE COUNTY—

Authorizing Mrs. Josephine S. Mizell to sell certain land, H. 215. 130,614,790,968,1088.

Clintonville school district, H. 216. 130,545,741, 989.

Trials of misdemeanors in, H. 373. 199, 248, 406.

Streams in, authorizing use of. See Geneva county.

Keyton school district, to create, H. 845. 584, 709.

Hatcher's school district. See Dale county.

Chancery court, time of holding. See Pike county.

## CODE, SECTIONS AMENDED : REPEALED-

- 32. H. 930. 607,672.
- 51. H. 907. 604.
- 52. H. 909. 605.
- 53. H. 908. 605.
- 54. H. 901. 604.
- 55. H. 900. 604.
- 58. H. 831. 583.
- 58. H. 841. 584.
- 59. H. 836. 584.
- 66. H. 840. 584.
- 86. H. 843. 584.
- 97. H. 832. 583.
- 99. H. 838. 584.
- 118. H. 833. 583.
- 128. H. 835. 584.
- 132. H. 842. 584.
- 136. H. 839. 584.
- 137. Sub. 18. H. 997. 640,812.
- 141. H. 463. 226, 284, 383.
- 141. H. 822. 544, 591, 657, 663, 774.
- 150. H. 600. 377.
- 151. to 155, H. 599. 377.
- 170. H. 472. 257.
- 171. H. 1041. 665, 710.
- 171. S. 383, 808, 843, 1063, 1082.
- 174. S. 384. 808, 843, 1064, 1082.
- 174. H. 1042. 565, 710.
- 175. H. 905. 604.
- 178. H. 906. 604.
- 184. S. 389. 808, 844, 1066, 1083.
- 184. H. 1046. 666, 710.
- 185. S. 381. 808, 843, 1064, 1082.
- 185. H. 1039. 665, 710.
- 188. S. 388. 808, 844, 1066, 1083.
- 188. H. 1038. 565, 709.
- 191. S. 1040. 665, 710.
- 191. S. 382. 808, 843, 1063, 1082.
- 234. H. 357. 185.
- 320. H. 69. 71, 123, 160,485, 518.
- 329. H. 645. 453.
- 340. 341. 342. H. 477, 199.

## CODE, SECTIONS AMENDED : REPEALED—(Continued).

340. 342. H.465. 256, 612.  
352. et seq. H. 627. 423, 842.  
352. H. 495. 270.  
355. H. 647. 453.  
396 to 406, H. 526. 317, 669, 842.  
453. Sub. 4. H. 162. 113, 153, 266, 1090.  
453. Sub. 2. H. 1148. 748.  
453. H. 179. 118.  
469. H. 1144. 747.  
490. H. 483. 268, 425.  
499. H. 772. 538, 709.  
499. s. 476. 948, 978.  
533. H. 333. 182, 235, 595.  
533. H. 548. 337, 425, 997.  
535. H. 549. 337,426.  
555. H. 667. 534, 611.  
558. H. 368. 198, 234, 771.  
606. H. 568. 361, 545.  
615. H. 1183. 789  
629. Sub. 28. s. 60. 181, 902.  
629. Sub. 28. H. 923. 606.  
629. Sub. 28. H. 161. 113.  
629. Sub. 29. H. 406. 229, 426.  
629. Sub. 31, H. 349, 184, 612, 951, 1081.  
629. Sub. 31 and 34. H. 929. 607.  
647. H. 166. 114.  
647. H. 575. 361, 457.  
684. H. 902, 604.  
699. Sub. 5. H. 55. 70, 136, 206, 469, 494.  
705. H.985. 630, 673.  
708. H. 395. 220, 364, 933, 1087.  
725. H. 956. 627.  
757. H.903. 604.  
659. H. 253. 135.  
759. s. 95. 274.  
854. 859. 860. H. 1134. 732, 794.  
856. 857. 858. H. 1135. 732, 794.  
946. H. 837. 584.  
949. H. 904. 604.  
952. 973.



## CODE, SECTIONS AMENDED : REPEALED—(Continued).

968. H. 186. 119, 186, 433, 661. 652.  
983. H. 149. 112.  
984. H. 686. 526.  
1120 1125. H. 925. 606.  
1206. H. 789. 540, 644, 677, 799, 922, 929.  
1207. H. 510. 282, 321.  
1211. H. 509. 282, 323.  
1212. H. 508, 282, 323.  
1312. Sub. 3. H. 311. 167.  
1319. H. 655. 454, 631.  
1386. H. 921. 606, 733, 777, 889.  
1418. and 1423. H. 1052. 666, 750.  
1735. H. 124. 91.  
1750. H. 34. 66, 201.  
1750. H. 429. 231.  
1761. s.441. 906.  
1810. H. 57. 70, 136, 207.  
1836. H. 454. 245, 593.  
1869. H. 12. 63.  
1891. H. 16. 63, 201, 615.  
1913. H. 35, 66.  
2056. H. 887. 589, 632.  
2080, et seq. s. 59. 402, 483.  
2083. s. 256. 784, 936.  
2083. H. 874. 587, 672.  
2134. H. 284. 149.  
2346. s. 206. 546, 613.  
2348. s. 239. 620, 734, 1075, 1092.  
2514. H. 418. 230.  
2572. H. 1017. 643, 733.  
2590 2591. H. 287. 149, 610.  
2611. H. 76. 72, 201, 553.  
2640. H. 585. 375, 545.  
2714. H. 413. 230, 322.  
2720. s. 243. 784, 795.  
2801. Sub. 3. H. 106. 89. 136, 210.  
2804. s. 190. 437, 546.  
2817. H. 416. 230, 322.  
2931. H.422. 231, 341.  
2905. H. 785. 539, 671.

## CODE, SECTIONS AMENDED: REPEALED—(Continued).

2933. H. 715. 530, 670.  
2943. s. 145. 312, 342.  
2972. s. 263. 715, 795, 1063, 1083.  
2972. H. 817. 543, 671.  
2984. H. 372. 199, 246, 816.  
3000. H. 572. 361.  
3012. H. 200. 121, 222, 637.  
3018, et seq. H. 999. 640, 733, 894, 1085,  
1090.  
3022. H. 181. 118.  
3054. H. 318. 168, 248, 817.  
3069. H. 503. 282, 341.  
3091. H. 260. 146, 271.  
3091. H. 273. 148, 201, 615, 622, 726, 756.  
3091. H. 323. 168, 248, 475, 480, 598.  
3177. H. 834. 583.  
3258. s. 449. 952, 977.  
3258. H. 974. 629, 673.  
3296. H. 1149. 761.  
3389. H. 1104. 706, 793.  
3391. H. 1103. 706.  
3403. s. 282. 784, 936.  
3421. H. 494. 270, 341.  
3471, 3472. H. 59. 70, 136, 207, 437, 449.  
3532. H. 317. 168.  
3532. H. 389. 219, 246, 385, 491, 517.  
3588. s. 42. 274, 342, 649, 703.  
3588. H. 96. 75, 222, 649, 989.  
3610. H. 118. 90, 137, 211, 409, 418, 481, 491,  
505, 506, 507, 517.  
3611. H. 362. 186.  
3612. H. 924. 606, 672.  
3613. H. 316. 168, 234, 770.  
3682. H. 721, 531, 748,  
3682, 3689. H. 416. 230, 545.  
3712. H. 1074. 694.  
3739. H. 693. 527, 593.  
3729. H. 815. 543, 791.  
3739. s. 252. 905, 936.  
3751. H. 730. 532, 670.

## CODE, SECTIONS AMENDED : REPEALED—(Continued).

3763. H. 71. 72, 151, 344, 449, 650, 626, 639,  
660, 675, 690, 949, 973.

3775. H. 855, 585.

3781. H.133. 92.

3789. H.36. 66.

Do s. 62. 409,483.

3789. H. 802. 541.

3790. s. 63, 400,483.

3807. H.117. 90, 323. 325.

3833. s. 141. 387, 457.

3870. 3871. H. 258. 146, 222, 650.

3872. H.806. 542,697, 846,1018.

3875. H. 17. 63, 122, 155.

3931. H. 288. 144, 365.

4022. H. 32. 65,122,156,437,449.

4031. H. 277. 148.

4031. H.493. 270, 341.

4031. H.1081. 694, 792.

4053. H. 276. 148, 222, 898.

4055. H. 1116. 708, 793.

4057. H. 307. 167.

4098 and 4099. H. 1195, 841.

4169. H. 269. 147, 248, 428.

4191. H. 309. 167, 271,979.

4196. H.67. 71.

4204. H. 492. 269.

4298. s. 211. 634,699.

4330. H. 43. 66.

4331. H. 84. 73, 152, 373.

4451. H. 791. 540.

4511. H. 1136. 746, 794.

4511. s. 102. 274, 323, 1068, 1091.

4796. H.332. 182,271,858, 1018.

## COOSA IRON AND R. R. CO—

To incorporate. See incorporations.

## COLBERT COUNTY—

To repeal act to establish district court. H. 226.

131, 201, 286, 401, 419.

## COLBERT COUNTY.— (Continued.)

To regulate practice in. s. 96. 181, 341, 1008, 1058.

Boundaries of Colbert, Franklin and Lawrence.

H.460. 256, 709.

Do. s.242.688.711,801,830.

Hunting, to prevent without land owner's consent.

H. 846. 584. 791, 960, 1080.

Florence bridge, tolls. See Florence Bridge.

Macademized roads, to repair, s. 241. 653, 674, 767,829.

Game law. s. 319. 689, 795.

Prohibition at certain places. H. 1073, 693.

Stock law. H. 1202. 864.

Tax collector, &c. See Lawrence county.

## COTTON FACTORIES—

Amending act to encourage building. See acts amended.

## COALDALE BRICK AND TILE CO.—

To confirm charter. See incorporations.

## COOSA COUNTY—

Election of county officers. H. 339. 183.

Time of holding chancery court in. See Randolph county.

Bridges in, to protect. H. 609. 397, 452.

Stock law in certain portions. H. 894. 590, 613.

Do. Extension of. H. 911. 605, 749, 780, 890.

Separate school district. H. 912. 605, 749, 974, 1086.

Chancery court of, to hold at Goodwater. H. 1111. 707, 733.

Tag tax to be paid to public schools. H. 1150. 751.

## CONFEDERATE SOLDIERS—

Extending act for relief. H. 340. 183, 324.

For relief of. H. 382. 200, 321, 960.

Legalizing certain applications by. H. 385. 200, 259. 345,409,451.

## CONFEDERATE SOLDIERS—Continued.

Changing time for application for relief. H. 403.  
221, 321, 576, 736.

Amending for relief. See acts amended.

Commissioners court may aid. To amend act.

See acts amended.

## COUNTY SURVEYORS—

Jurisdiction of. H. 363. 186, 247, 511, 675, 717.

## COUNTY COURT JUDGE—

Penalty for failure to hold court. H. 364. 186,  
233.

Do. s.128. 580,613,769,829.

## COTTON STATES AND INDUSTRIAL EXPOSITION—

Memorial from Anniston as to. H. 388, 219.

Do. Exhibit at. H. 1027. 644, 812, 989.

## COTTON—

Produce of, to protect. H. 457. 255.

## COTTON SEED MEAL—

To require inspection. H. 519. 316, 364.

## COURTS—

To provide for when judge or solicitor fail to attend. a. 462. 256, 426, 797, 814,1090,1094.

Circuit, to give chancery jurisdiction. H. 754.

535, 732, 903, 941.

Criminal dockets, time of taking up. H. 780. 538,  
671.

Mandamus, &c., clerks and registers may issue.

See clerks.

Practice in, to regulate. See practice and pleading.

County commissioners, additional powers. H.  
978. 629.

Judges and and solicitors exchanging, &c. H.  
1087. 695, 733, 814.

Transfer of cases when court abolished. See pleading and practice.

## CORN MEAL—

Weight put on sack. H. 969. 628,628,646,880.

## CODIFICATION OF LAWS—

See laws.

## COTTON—

To regulate ginning. s. 171. 922, 936.

To ascertain number of bales grown. H. 144. 111.

## COURT HOUSES, &amp;C.—

Counties may issue bonds to build. See bonds.

## CRENSHAW—

Francis Mildred, and Edwin Whipple, for relief of. See Montgomery.

## CRENSHAW COUNTY—

Amending section 19 of code as to H. 375. 199.

To protect bridges, &c., in. See Covington county.

Spirituous liquors, license to retail. H. 498. 281, 425.

Bristow, Martha Ann, and children, to change name. H. 630. 423.

Prohibition at Mash's mill. H. 760. 536, 610, 800, 1018.

Code, section 750, to amend. See Covington county.

## CRIMINAL LAW—

Persons tried before mayor, not to be tried again. H. 828. 583, 671.

## CRITTENDEN, CLAUDE E—

For relief of. H. 864. 586.

## CREDITORS—

Protection of. H. 953. 610, 672.

## CUMBERLAND PRESBYTERIAN SEMINARY—

To incorporate. See incorporations.

## CULLMAN POLYTECHNIC COLLEGE—

To incorporate. See incorporations.

## CULLMAN, TOWN OF—

To amend charter. See incorporations.

## CURTIS, M.E.—

Sheriff Wilcox county, for relief of. See Wilcox county.

## CURETON, W. T.—

Late sheriff, for relief. See Henry county.

## CULLMAN COUNTY—

Commissioners court, limiting sessions. H. 1204, 864.

Bremen school district, s. 399. 887.

For relief Chas. Grafton, clerk of. H. 300. 166.

Election of county commissioners. See Lawrence county.

Do. County officers. H.672. 524.

Section 1398 of Code, to amend, s. 99. 274, 364.

Crane school district. H. 564. 360, 399, 597, 736.

Hulaco school district. H. 663. 455, 592, 839, 1018.

Mount Zion school district, s. 220. 546, 751.

Jappo school district. H. 996. 640, 750.

Lands held adversely in. See Blount county.

West Cullman school district, to establish, s. 340. 784, 843.

Jury law, to amend. H. 1203. 864.

## DEMOPOLIS, CITY OF—

To amend charter (city map.) See incorporations.

To authorize to issue bonds. H. 26. 65, 138.

Do. s. 6. 154, 202, 276, 283, 315, 359, 363, 365, 382.

## DIVORCE-

To define domicil, and to limit. H.88, 74.

## DALLAS COUNTY—

To repeal garnishment law in. H. 110. 90,152, 348, 387,402,412, 431, 450.

To give justices jurisdiction in concealed weapons. H.266. 147,233,414.

Authorizing board of revenue to issue \$50,000 bonds. H. 302. 166.

Providing for working public roads, H. 303,166, Do. H. 674. 525, 546, 596, 703.

Reports of committing magistrates. H. 394. 220, 322, 474, 1056.

Criminal cases in circuit court, to consolidate with city court. See Selma.

Court of county revenues, to amend act to create. H. 847. 585.

Pastures, liens in favor of owners. See Wilcox county.

Fine and forfeiture fund, to regulate, s. 393. 828, 866, 958, 983, 1021,1040.

## DALE COUNTY—

To amend act giving lien for pasturing stock. H. 111. 90.

Hunting on another's land, to prevent. H. 673. 524, 790.

Criminal docket, time of taking up. See Bullock county.

Streams in, authorizing use of. See Geneva county.

Choctawhatchie river, to repeal act to prohibit driving logs, &c., in. H. 768. 537, 671.

To take from 23d and add to 24th senatorial district. H. 918. 606.

Hatcher's school district, s. 270, 675, 764, Agricultural school in. s. 1180. 789, 866.

## DEATH—

Presumption of. H. 143. 111.



## DOVES—

To prevent baiting for. H. 164. 114,117,

## DECATUR—

To abolish city court of. H. 199. 121,171, 240,  
339, 358.

## DIGEST OF ALABAMA REPORTS—

Authorizing state -to subscribe to. H. 315. 168,  
901.

## DADEVILLE—

Amending charter, p. 360. See incorporations.

## DUSKIN, HENRY D—

Of Lee county, for relief of. See Lee county.

## DOGS—

To amend act to protect. See acts amended.-  
For protection of. H. 571. 361.

## DALLAS MFG. CO.—

Amending charter. See incorporations, banking,  
industrial, &c.

## DENTON, A. M. C.—

Of Morgan county, for -relief. See Morgan county,

## DOHEIMER, EVA—

Of Butler county, to relieve of non-age. See But-  
ler county.

## DANIEL, J. J. H.—

For relief of. H. 758. 536.

## DANIEL, W. Z.—

For relief of. H. 759. 536.

## DAVIDSON, MAUD W—

For relief of non-age, s. 213. 546,613,722, 742,

## DENTISTS—

To exempt from jury duty. H. 914. 605, 811, 975, 1086.

## DANIEL, SUSAN M.—

For relief. See Jackson county.

## DORLAN, PHELAN B.—

Sheriff Mobile county, for relief. See Mobile county.

## DEBARDELABEN, WARREN L.—

Of Autauga county, for relief. See Autauga county.

## DOG RIVER—

Fish in, to protect, s. 218. 689, 794, 1034, 1082.

## DEBTS—

Collection of, to regulate. H. 1070. 693.

## DAWSON, N. H. R—

Death of. See resolutions.

## DeKALB COUNTY—

Doorkeeper of gallery, appointment of, 61.

Repealing act regulating county commissioners.

See Bullock county.

Ex officio fees of officers in, H. 341. 183.

Game law. See Clarke county.

Taxes, assessor's commission on, H. 499, 281.

" collector's " H. 500. 281.

Trials by jury in, to regulate, H. 598. 377, 631.

County boundary of Jackson, H. 695. 525, 612, 911.

Separate school district, No. 3, to establish, H. 764. 537, 612.

Roads, tax for. See Cherokee county.

McLendon, James, to receive pay, &c., H. 1034. 665,940.

School trustees, time of meeting, H. 1117, 708, 793,

Wyatt, J. J., for relief, H. 1137. 746.

## DOTHAN—

- To establish city court, H. 185. 119.
- Bonds to authorize to issue, H. 682, 526,593, 969, 1089.
- Loan, to repeal act authorizing, H. 684, 526,591.
- Charter, to amend, See incorporations.
- Petition from in reference to prohibition, 674.

## ELECTIONS—

- To amend act to further regulate. See acts amended.
- Contest of Garret! vs Manning from Clay county, 127.
- Returns of August transmitted to speaker, 94.
- Joint convention to ascertain result, 96.
- Of U. S. Senator. See U. S. Senator, August, 1894, to authorize contest of, H. 589. 376.
- To regulate, H. 641. 452,
- Inspectors to post vote, H. 646. 453.
- Inspectors and returning officers, appointment, H. 648. 453.
- Myers automatic ballot machine, authorizing towns to use, H.723, 531, 612.
- Contest of state officers, to provide- for, s. 919. 606, 842.
- Do. s. 274. 908, 939, 1004, 1058.
- Contest act, to amend. See acts amended.

## EMBALMING—

- To establish state board, &c., H. 93. 74, 170, 386.
- Do. s.41. 312,342,386,443.

## ESCAMBIA COUNTY—

- To repeal garnishment law, H. 110. See Dallas county.
- To regulate issue of garnishment, H. 304. 166, 271,350, 735.
- Public roads, to amend law as to, H. 676. 525, 591, 617, 757.
- Alco, laws relating to. See Alco.
- Code, 750, to amend. See Covington county.

## ETOWAH COUNTY—

- To secure competent jurors in, H. 128. 92, 152.
- To refund money to J. M. Hammitt, H. 218. 130, 188.
- To establish text books for public schools, H. 219. 130,696, 738.
- As to women and children working more than 8 hours a day, to repeal act, H . 65. 71, 137.
- Roads tax for. See Cherokee county.
- Aurora school district, H. 850. 585, 811.

## EVERGREEN INDUSTRIAL SCHOOL--

- To amend incorporation. See incorporations.

## EXEMPTIONS—

- To minor children, H. 197. 120, 222. 637, 1091.
- Vesting title in widow and minors, to repeal act. See acts repealed.
- Tools, libraries, &c., from levy, H. 1015, 642.
- Constitution as to, proposing amendment. See-constitution.

## ETOWAH MALE AND FEMALE INSTITUTE-

- To incorporate, H. 392.

## EJECTMENT—

- Judgment in, effect of, H, 413. See code, sec. 2714.

## EUFAULA DISTRICT ACADEMY—

- To incorporate. See incorporations.

## EAST ALABAMA FERTILIZER COMPANY—

- To amend charter, H. 497. 281.

## EUFAULA, CITY OF—

- Sewerage, to authorize to construct, H. 540. 336, 365, 916, 1057.
- Water works and light plant, to authorize to-acquire, H. 541. 336, 365, 994, 1089.
- Bonds, to authorize to issue, H. 542. 336, 365.
- Do. s. 474. 918,938.
- Charter, to amend. See incorporations.

## EVERGREEN—

Bonds, authorized to issue, s. 148. 400, 426, 683, 737.

City court of, to establish, H. 976. 629.

## ESTATES OF DECEDENTS—

To prevent sacrifice of, H. 635. 424.

## EUNOLA—

To amend act to incorporate. See incorporations, municipal.

## ENTERPRISE—

To incorporate. See incorporations.

## EMIGRANT AGENTS—

To require license of, H, 1054. 667, 763.

## EDUCATION—

Agricultural, to increase facilities, H. 1099. 706.

## EUTAW--

To amend incorporation. See incorporations.

## ELMORE COUNTY—

For relief of W. J. and M.D. Still, of non-age, H. 180, 118, 171,372.

Prohibition at Friendship Baptist church, H. 378. 199,270,

Prohibition in beat 8 and in 18, H. 391. 219, 270, 404,483, 819.

Stock law in beat 18, H. 455. 245, 613.

Stock law in beat 4 and 8, H. 456. 245, 611, 680, 905, 916, 973.

Stock law, to repeal certain sections of, H. 546. 337, 399, 440, 1017.

County officers, compensation of, H. 581. 362, 613,802.

Prohibition at Elmore, H. 848. 585, 697, 721, 935.

Do. s. 318. 726.

## ELMORE COUNTY—(Continued.)

- Still, M. D., to relieve of non-age, H. 849. 585, 671, 881, 1080.
- Do. s. 313. 917, 936.
- Williams, J. H., for relief of, H. 915. 605, 672, 722, 868, 890.
- Batchelor, Wm. T., Jr., minors of, to relieve of non-age, H. 916. 605, 672, 879, 1087.
- Fine and forfeiture fund, claims against, H. 1069. 668, 735, 803, 1018.

## EVIDENCE—

- Making certain ordinances self proving, H. 313. 767, 233, 770, 1080.
- To require production of books and writings in actions at law, H. 86. 73, 136, 203, 396, 401.
- Admission of written, H. 33. 65, 139.
- Liquor, sale of, license prima facie evidence. See liquor.
- Abusive language, competent evidence in, H. 665. 482, 669.
- Wife competent witness against husband for vagrancy, H. 702. 528, 670.
- Husband or wife competent witness against other, s. 586. 375, 545.

## FAYETTE COUNTY—

- To repeal act regulating election of county commissioners. See Bullock county.
- Justices, jurisdiction of, H. 481. 268.
- School book board. See Lamar county.
- Township trustees, to exempt from road duty, H. 851. 585.
- Fine and forfeiture fund, to regulate, H. 998. 640, 750.
- Code, section 4846, to amend, H. 1167. 787.

## FORT PAYNE—

- To amend incorporation. See incorporations.
- Manufacturing, may exempt from taxation, H. 1075. 694, 710, 842.
- Taxes, sales of property for, H. 1010. 642, 792.
- Do. s. 468, 918, 938.

## FRANKLIN COUNTY—

To authorize sureties of R. A. Tompkins, tax collector, to collect taxes, H. 13. 63.

R. A. Tompkins, late tax collector of, for relief, H. 449. 245, 364, 597, 849.

Burnt records of, abstract to be used in evidence, H. 449. 255, 322, 350, 491, 517.

Newburg school district in, to establish, H. 532. 318.

Do. H. 640. 452,545,836,1019.

Colbert and Lawrence lines, to change. See Colbert county.

Taxes, etc., collection. See Lawrence county.

## FARMERS CO-OPERATIVE INSURANCE ASSOCIATION—

H.211. See incorporations.

## FACTORIES, COTTON AND WOOLEN—

To amend act as to. See acts amended.

## FRUITS—

To encourage cultivation of. H. 272, See wines.

## FOOTE, CHAS. K. AND CHAS. G—

Declared citizens of Mobile county. H.243 See Mobile county.

## FOOT-BALL—

To prohibit match games. H . 427. 231, 886.

## FREIGHT TRAINS—

Running on Sunday, to prohibit, H. 657. 454.

Taxes, sale of property for, to regulate. H. 1010. 642.

## FLORENCE—

To amend charter, H. 703. See incorporations, municipal.

## FIDELIA CLUB, OF MOBILE—

Additional powers, H. 731. See Mobile.

## FRUITHURST—

To charter. See incorporations, municipal.

## FARR, CHAS. PRESTON—

To change name, H. 858. 586, 732.

## FIDELITY TRUST COMPANY—

To incorporate. See incorporations, banking, industrial, etc.

## FARMERS MUTUAL LIVE STOCK INSURANCE ASSOCIATION—

See incorporations, banking, industrial, etc,

## FLORENCE BRIDGE—

Maximum tolls, H. 1002. 641, 718, 799.

## FAUNSDALE SCHOOL DISTRICT—

To pay teachers monthly, s. 317. 645, 751, 778, 829.

## FLAG—

To adopt for state. See state flag.

## FERRIES—

Flats, owners of to put railing on, H. 1089. 695, 843.

## FEES AND COSTS—

For use of seal. See state seal.

## FARES—

To license. See taxation.

Do, H. 825. 544,671,974,1087.

## GADSDEN—

To amend act to establish city court of, H . 129. 92, 259.

Do. s. 35. 228,272,462,478,493,505.

Do. H . 825. 544, 671, 974,1087.



## GADSDEN—Continued.

To amend act constituting separate school district,  
H. 306. 167, 234, 771, 1019.

Amend corporate limits, H. 379. See incorpora-  
tions.

City court of, to abolish, H. 522. 317.

## GAMBLE, F. A.—

For relief of, n. 249. See Walker county.

## GARNISHMENTS—

To authorize dismissal in certain cases, 551. 154,  
322.

## GRAFTON, CHAS—

Circuit clerk of Cullman, for relief of, H, 300.  
See Cullman county.

## GAME BIRDS—

For the protection of. H. 319. 168, 271.

## GURLEY, TOWN OF—

Issue of bonds, H. 383. 200,235,428,651,652.

## GUIN—

To amend incorporation, H. 450. See incorpora-  
tions,

## GOODWATER—

To incorporate. See incorporations.

## GEOLOGICAL SURVEY—

To repeal act to complete, a. 620. See acts re-  
pealed.

## GREGG, HENRY T.—

For relief. See Chilton county.

## GREENE COUNTY—

1. justices of peace, for relief, H. 679. 525, 631, 804, 1035, 1057.

Trespass on lands in, to prevent, H. 680. 525, 673.

Public roads, to provide for working, H. 769. 537, 613, 678.

Stock law in certain portions, H. 770. 537, 673.

2. justices, to sentence for costs, H. 958, 627.

## GREENSBORO—

Separate school district, to create, H. 917. 605, 632, 681, 819, 890.

## GENEVA, TOWN OF—

To amend incorporation. See incorporations, municipal.

Separate school district, to create, H. 854. 585, 842.

## GIRARD—

Public schools, to amend, H. 1086. 695, 710, 962, 1086.

## GREENVILLE—

Water works for, H. 1129. 731, 793.

Do. s. 428. 828, 885, 1071, 1092.

## GASSENHEIMER, SIDNEY—

To. relieve of non-age. See Montgomery county.

## GRANBURY. R. C.—

Of Henry county. See Henry county.

## GOODS—

Marked "Sterling," &c., sale of, H. 1219. 900.

## GENEVA COUNTY—

Amending lien for pasturing stock. See Dale-county.

## GENEVA COUNTY—(Continued.)

- Goods, wares, &c., regulating certain sale of.  
See sales.
- Fine and forfeiture, fund of, H. 254. 135, 187, 551.
- Do. s.86. 216,285,442,451.
- County court of, H. 256. 135.
- Prohibition at Coffee Spring camp ground, H. 267. 147, 223, 768, 986, 1055.
- To prevent hunting, H. 268. 147, 187, 417, 890.
- Election of county commissioners. See Lawrence county.
- Fishing in, to regulate, H. 501. 281, 545.
- Coffee Springs camp ground, to incorporate. See incorporations.
- Prohibition in certain places in, H. 523. 317, 379.
- Commissioners, election of, H. 642, 452.
- Ward, W. J., for relief of, H. 677. 525, 611, 701, 1057.
- Deputy constable in beat 5, to authorize, H. 678. 525.
- Stream, authorizing use of, H. 766. 537, 670.
- Prohibition, election on, to repeal act, H. 1077. 694.
- Chancery court, time of holding. See Pike coun-

## GOVERNOR—

- Mansion for, to provide, H. 619. 422.
- Messages of Governor Jones :  
Annual, 15 to 60.
- Tranmitting gavel made by students A. & M. College, 61.
- Transmitting election returns, 94.
- " documents as to U. S. coast surveys, 95.
- As to claim of T. C. Bingham for certain bonds, 107.
- As to temporary loan, 171.
- As to reward in re. Wm. Philyaw, 173.

## GOVERNOR— (Continued.)

Recommending ratification of payment of certain claims by the auditor, 214.

Recommending relief for sheriff Macon county, 215.

Pardons, reason for, 226.

Governor Oates, inauguration. of, 248 to 255.

Messages of Governor Oates :

Receipts for bonds.

Annual, 289 to 308.

State school and bonded debt, in reference to, 554 to 575.

Stallworth, in re. reward, 692.

Solicitors, salaries of, 752.

H, 821. vetoing, 1041.

## HODGE, JANE VANDALIA—

To change name to Harp, and make femme sole. H.6. 62,545.

## HOLT, P. S.—

Member from Macon, death of, H. 127. 135,136, 224.

Per diem, to appropriate, s. 244. 633, 674, 721, 741.

## HAMMITT, J. M.—

To refund money to, H. 218. See Etowah County.

## HOTEL KEEPERS, &amp;C—

To repeal act for protection of, H. 222. See acts repealed.

## HUNTSVILLE DISTRICT HIGH SCHOOL, IN NEW MARKET—

H.232. To incorporate. See incorporations.

## HATCHETT CREEK CAMP GROUNDS—

To incorporate, H . 264. See incorporations.

## HUSBAND AND WIFE—

- Amend act as to diability of minority of wife, H. 270. See acts amended.
- In prosecutions, to make competent witness, H. 586. See evidence.

## HALE COUNTY—

- To relieve Rit M. Lavender of disabilities, s. 18. 154,234,353, 382.
- 1. Stock law in beat 3, H. 393. 220, 247, 382, 490,517.
- Do. in beat 11, H. 590. 376,613.
- Reports of committing magistrates, H. 394. See-Dallas county.
- False pretenses, under labor contract. See Lowndes county.
- Peddlers, to levy tax on, See Wilcox county.
- Bonds, authorizing to issue, H. 621. 442, 612, 839,1019,
- Chadwick, 8. W., registrar, for relief, H. 773. 538,593,619,850.
- 2. Stock law in beat 4, H. 1095. 704, 813, 914, 1081.
- Kornegay, James B., for relief, a. 346. 905.

## HEFLIN—

- Ordinances, as to publication, H. 1192. 811.
- Do. s. 466, 952,977.
- New charter for, s. 77. See incorporations.

## HEADLAND—

- To amend charter, H. 461. See incorporations.

## HEARN—

- Protest of, on bill to elect county superintendent of education, Choctaw county, 419.

## HANNA, W. F.,—

- For relief of. See Calhoun county.

## HOLIDAY—

- Birth day of Jefferson Davis to be, H. 808. 542, 671, 855.

HORN, TONY, OF CHOCTON COUNTY—  
For relief of. See Choctaw county.

HAYNEVILLE—  
To establish new charter for. See incorporations  
municipal.  
Corporate limits, to repeal act to define, H. 866.  
587.  
Act to incorporate, to repeal, H. 867. 587.  
Do. H. 868. 587.  
Mayor and aldermen, repealing act to elect, H.  
869. 587.

HUNTSVILLE—  
Bonds, to issue, s. 445. 908,937.  
New charter for. See incorporations, municipal.

HUNTSVILLE PRIMITIVE BAPTIST & RADED AND  
INDUSTRIAL SCHOOL—  
To incorporate. See incorporations.

HOLMES, MACK—  
For the relief, H. 1014. 642, 901.

HAMILTON—  
To establish agricultural school at, H. 1058. 667,  
710, 739,972, 990.

HOSPITAL OF UNITED CHARITIES—  
To incorporate. See incorporations.

HOME BUILDING AND LOAN ASSOCIATION—  
To amend charter. See incorporations.

HALL, A. J., OF MONTGOMERY COUNTY—  
For relief. See Montgomery county.

HAND, L.J.—  
For relief estate, H. 1224. 901,940,974,1088.

## HOFFER, AMOS S.—

See Tallapoosa county.

## HENRY COUNTY—

Amending lien for pasturing stock. See Dale county.

Union school district in, H. 113. 90, 123, 145, 326.

Game law, H. 184. 119, 138, 310, 477, 495.

To establish Reynolds school district, s. 221. 130, 170, 373, 450, 465.

Prohibition at Dothan High School, H. 343. 183, 223, 576.

Circuit court of, to hold at Dothan, H. 410. 229. 241, 260, 314, 409, 443.

Constable in beat, appoint deputy, H. 524. 317, 545.

Certiorari, to regulate issue by probate judge of, H. 525. 317, 379.

Headland school district, to establish, H. 624. 422, 545, 834, 1018.

Prohibition at Alaga, H. 643. 452, 611.

McLendon, W. A., sheriff, for relief of, H. 681. 525, 669, 981, 1086.

Brier Creek school district, H. 685. 526, 593.

Cureton, W. T., late sheriff, for relief, H. 867. 525, 669.

Dogs, to protect, H. 775. 538.

Deeds and mortgages, abstract of to be kept at Dothan and Columbia, H. 559. 527, 791.

Real estate, sales of, H. 960. 627, 791.

Columbia, to incorporate. See incorporations.

Granbury, R. C., for relief of, H. 1198. 841.

## IMMIGRATION—

To establish commission, H. 330. 169.

## INAUGURATION, EXPENSES OF—

Report of committee to examine, 486, 491.

Protest as to, 1003.

Raising committee on. 115, 117, 181.

## INAUGURATION, EXPENSES OF— (Continued.)

Authorizing committee onto expend \$200. See  
 joint resolutions:  
 Ceremonies of, 248 to 255.  
 Report of committee on, 213.

## INCORPORATIONS—

## CHARTERS AMENDED.

Extending time for construction of harbor and  
 railroad of Birmingham, Mobile and Navy  
 Cove R. R. Co., H. 2. 62, 123, 140, 1080.  
 Mobile and West Alabama R.R. Co., s. 4. 154,  
 202, 435, 451.  
 Tredegar Mineral R. R., H. 562. 360, 379, 599.  
 Montgomery Street Railway, H. 579. 362, 379,  
 503, 688, 717.  
 Florence, H. 703. 528.  
 Phenix City Railway, H. 1059. 667, 710, 838, 951.  
 Eufaula, H. 1201. 864.  
 Do. S. 470. 918, 938.  
 Opelika, district of, s. 442. 906, 937.  
 Moulton, s. 440. 908, 937, 1033, 1059.  
 Avondale, H. 18. 63, 137, 328, 409, 449.  
 Demopolis (city map), H. 25. 64.  
 Bessemer, sec. 18, sub. 5, H. 70. 71, 116, 126,  
 140, 197, 204.  
 Do. Sec. 18, sub. 1, H. 859. 686,  
 Montgomery, repealing section 82, H. 39. 66, 137,  
 238, 990.  
 Do, Certain sections amended, H. 636. 424.  
 Do. Certain sections, s. 224. 633, 763, 914,  
 1040.  
 Do. Section 52, H. 1005. 641.  
 Childersburg, Talladega county, H. 169. 114, 123,  
 175, 311, 326.  
 Jasper (as to certain sections), H. 251. 134, 153,  
 393, 485, 518.  
 Tuseumbia, s. 87. 181, 247, 472, 493,  
 Cullman, H. 376. 199.  
 Gadsden, as to limits of, H. 379. 200, 324, 595,  
 935.



## INCORPORATIONS— (Continued.)

Guin, in Marion county, H. 450. 246, 260, 334, 465, 495.  
 Headland, town of, H. 461. 256.  
 Rutledge, section 1 and 2, H. 518. 316, 340, 509, 651, 688, 806, 828, 850, 890.  
 Sheffield, H. 608. 397, 920, 940, 1057.  
 Fort Payne, in DeEalb county, s. 163. 449, 426, 535.  
 Selma, H. 666. 482, 696, 831.  
 Dothan, H. 683. 526, 591.  
 Birmingham, H. 688. 526.  
 Do. H. 1064. 668.  
 Do. s. 377. 754.  
 Tuscaloosa, H. 744. 533, 645, 912, 1057.  
 Do. H. 884. 589, 612, 777, 909.  
 Eunola, in Geneva county, H. 852. 585, 632.  
 Geneva, in Geneva county, H. 853. 585, 645, 740, 1058.  
 Abbeville, in Henry county, H. 857. 586, 632.  
 Syllacauga, H. 883. 589, 645, 880, 1058.  
 Carbon Hill, H. 886. 589, 709.  
 Florence, H. 703. 528, 591, 776.  
 Carrolton, H. 984. 630, 698.  
 Oxford, H. 588. 376, 631, 625, 1089.  
 Columbia, in Henry county, s. 173. 633, 763, 832, 889, 920, 922, 947, 1022.  
 Greensboro, H. 771. 537, 645, 778, 1055.

## MISCELLANEOUS ; INCORPORATED ; AMENDED ; CONFIRMED.

Selma Fair and Driving Association, to confirm and amend charter, H. 1. 60, 68, 86, 139, 144.  
 Independent Brothers of Love, H. 42. 66, 137, 648, 824.  
 Coosa Singing Association, H. 100. 75.  
 Southern Associated Press, H. 412. 230, 324, 835, 1090, 1095.  
 Lauderdale Co. Fair Association, to incorporate, H. 490. 269, 341, 468, 675, 677.  
 1. Port of Mobile, amended, H. 555. 388, 364, 575.

## INCORPORATIONS--(Continued.)

- Do. s. 199. 580, 674, 759, 799.  
 Manassas Club of Mobile, to confirm, s. 178. 430, 458, 502, 513.  
 Phoenix Club, of Birmingham, H. 644. 452, 670.  
 Mobile Athletic Association, Dissolving incorporation, H. 718. 530, 646, 889.  
 Do. s. 277. 653, 711, 877.  
 Anniston Hose Company, H. 748. 534, 592.  
 Quickenham Club of Huntsville, H. 810. 542, 749.  
 Do. s. 265. 620, 751, 881, 895, 928.  
 Olivet Club, H. 941. 608, 672, 993, 1090.  
 Citizens Hose Co., No. 5. H. 979. 644, 781, 1019.  
 Independent Order of Odd Fellows Grand Lodge, To amend charter, H. 1004. 641.  
 Hospital of United Charities, board of lodge managers, H. 1067. 668, 699.  
 Do. s. 375. 807, 885.  
 2. Mobile, port of, to amend, s. 284. 676, 795.  
 Louis Short Baptist widows and Orphans Home, amended, s. 316. 689, 711, 838, 854.  
 Young Democracy, H. 1109. 707, 793.  
 Standard Club, of Huntsville, to confirm, H. 1172. 788, 843.  
 Do. s. 391. 827, 885.

## MUNICIPAL—INCORPORATED.

- Searight, Crenshaw county, H. 342. 183, 222, 767.  
 Brantley, in Crenshaw county, H. 478. 268, 322, 478, 602, 651, 688, 806, 828, 850, 890.  
 Ozark, in Dale county, H. 479. 268, 284, 330, 465, 519, 582, 602, 633, 807, 867.  
 Goodwater, town of, H. 536. 318, 341, 385, 490, 519.  
 Camp Hill, town of, H. 553. 338, 365, 702, 1019.  
 Pollard, H. 639. 452, 591, 779, 1019.  
 Fruithurst, in Cleburne county, H. 757. 536, 646.  
 Do. s. 266. 704, 751.  
 Kennedy, in Lamar county, H. 782. 539, 749, 775, 1018.

## INCORPORATIONS— (Continued.)

- Oakman, in Walker county, H. 803. 541, 791, 913, 1089.  
 West Blocton, H. 885. 589,697.  
 Charlton, in Dale county, H. 913. 605, 749.  
 Enterprise, in Coffee county, H. 1008, 642, 698.  
 Spio, in Henry and Barbpur counties, s. 269. 689,751.  
 Newton, in Dale county, s. 352. 725, 936, 1032, 1082.  
 Columbiana, s. 472. 919,938,1067,1092.

## MUNICIPAL—NEW CHARTERS.

- Phenix Gity, s. 8. 165, 203, 266, 320, 381.  
 Heflin, town of, s. 377. 181, 223, 331, 398.  
 Lanett, in Chambers county, H. 521. 317, 341, 413,505,635,705.  
 Hayneville, H. 865. 586.  
 Huntsville, H. 871. 587,697.  
 Do. s. 322. 716.  
 Anniston, H. 898. 604, 697, 779, 1056.  
 Do. s. 321. 784, 843.  
 To incorporate Presbytery of North Alabama, H. 72. 72, 123, 159, 311, 326.  
 Alabama Baptist colored normal and theological school, to amend incorporation, H. 103. See incorporations.  
 Hatchett Creek camp grounds, to incorporate, H. 264. 146, 201, 552, 848, 920, 921, 929, 947, 973.  
 Coffee Springs camp grounds, to incorporate, H. 502. 281, 321, 502, 651, 652, 687, 716, 798, 849.  
 Y. M. C. A., of Mobile, to incorporate, H. 720. 530, 645.  
 Do. s. 278. 653, 711, 1032, 1059.  
 King David's Temple, No. 3, H. 977, 629, 791.

## RAILROADS, INCORPORATED.

- Coosa Iron and R. R. Company, H. 223. 131, 285, 954, 1089.

## INCORPORATIONS—(Continued.)

- Phenix City railway company, H. 451. 245, 284, 331,470,480,493,495,497,519.  
 South Alabama and Gulf, H. 1078, 694, 842, 871,1058.  
 Chicago, Florence and Gulf railway company, s. 486. 948, 978, 1033, 1059.

## INSURANCE COMPANIES.

- To require to pay full value of policies, H. 156. 113, 669, 737, 745.  
 Act requiring to have \$100,000 capital amended, See acts amended.  
 To have \$20,000 worth property, H. 435. 232.  
 Life on assessment plan, H. 436. 232.  
 Persons insured in life, to protect, a. 513. 283, 425.  
 Taxation of, to amend act. See acts amended.  
 Protection of persons insured by, H. 566. 360.  
 Money improperly paid as license, to refund- See appropriations.  
 Statement made to secretary of state, and published, H. 881. 588.  
 Liabilities of, in certain cases, H. 882. 588, 748.  
 Actions on life, to regulate defenses, H, 1020. 643, 698,760,990.  
 Regulation, &c., supplement to act, H. 1191, 811, 886.

## EDUCATIONAL; INCORPORATED.

- Bailey Springs university, H, 21. 64, 123, 161, 311,342,362, 367, 395, 481, 437, 444.  
 Cumberland Presbyterian seminary, H. 105. 89, 122, 158, 272.  
 University school at Clanton, H. 138. 93, 122, 157,343. 395, 547, 601.  
 Polytechnic college and ladies institute of Cullman, H. 147. 112, 137, 224, 236, 430, 450.  
 Pisgah male and female academy, H. 186. 119, 137,261,419,430.  
 Huntsville district high school in New Market, H. 232. 132,187,434, 652, 677.

## INCORPORATIONS— (Continued.)

- Graham college, in Randolph county, H. 278.  
148,201, 553.  
Do. s.97. 274,323,473,493.  
Attalla normal college, H. 305. 167.  
Etowah male and female institute, H. 392. 219,  
270, 407,547,594.  
Spring Lake college, H. 467, 257, 322, 392, 602,  
651.  
Do. s. 164. 430, 546.  
Eufaula district academy, of M. E. church south,  
H. 474. 257, 285, 411, 547, 594.  
Hoss institute, at Heflin, s. 23. 274, 323, 504,  
513.  
Morgan county college, H. 534. 318, 341, 441,  
990.  
Attalla normal college, H. 610. 397,458,837.  
Andalusia high school, H. 616. 398, 458.  
Agricultural and mechanical college, alumni of,  
s.67. 408,426,1062,1083.  
Oakman male and female academy. H. 660. 454.  
613.  
Buntsville Primitiye Baptist graded and indus-  
trial school, s. 200. 465, 751, 1075, 1093.  
North Alabama College, at Fort Payne, H. 763.  
537,612, 678, 820, 867.  
Hamilton high school, in Marion county, H . 787.  
539, 842.  
Stillman institute at Tuscaloosa, H. 937. 608,  
749.  
Madison high school, in Madison county, s. 298.  
676, 764, 999, 1022.  
Blount Springs college, to incorporate, s. 414.  
905,1017.

## BANKING, INDUSTRIAL, MINING, &amp;C. INCORPORATED.

- People's Mutual Insurance Association, H. 121.  
91, 323, 325.  
State Loan and Trust Company, H. 153. 112.  
Alabama State Mutual Assurance Company, H.  
210. 129, 324, 356, 519, 550.

## INCORPORATIONS—(Continued-;

The Farmers Co-operative Insurance Association of Alabama, H. 211. 129,324.

Alabama Mutual, Fire Insurance Company, H. 245. 133, 321,390, 506,551.

Alabama Penny Saving and Loan Company, H. 447, 244,260, 776,1018.

United Mine Workers, H. 448. 244.

Mutual Fire Insurance Association, H. 580. 362, 426,479,675, 678.

Do. To amend section 2 of, H.III5, 708,793.

Southern Coal Company, H. 697. 528,645.

Do. s. 246. 725,795.

Ozark Cotton Mill Company, H. 761. 536, 696, 958, 1089.

Autauga Manufacturing Company, To incorporate, H. 807. 542, 764, 802, 1058.

Do. s. 297. 827, 885.

Farmers Mutual Insurance Association, s. 223. 546,711,1074,1092.

Security Banking and Loan Company, of Birmingham, H. 829. 583, 709.

Fidelity Loan and Trust Company, H. 862. 586, 644,968.

Farmers Mutual Live Stock Insurance Association, of Alabama, H. 876, 588, 842.

Planters Warehouse and Comini88io& Company, H. 957. 627, 749.

Do. s. 347. 725,796,1027,1059,

State Land Trust Company, H. 965. 628, 791, 955, 1088.

Southern Home Insurance Company, H. 980. 630,791.

Do. s. 345. 725,796,996,1022.

Southern Mutual Fire Insurance Company, H. 1018. 643,750,899,1087.

Do, s. 416,905,937.

Wetumpka Falls Manufacturing Company, H. 1049. 666.

West Alabama Real Estate and Immigration Association, H. 1139. 747.

## INCORPORATIONS— (Continued.)

Industrial Insurance Company, of Birmingham, H. 1179. 789,843,872, 1089.  
 Southern Lumber Fire Association, of Birmingham, s. 436. 909,920, 962,985.  
 Industrial Mutual Assurance Company, of Birmingham, s. 437, 909, 921.  
 Madison Loan and Trust Company, s. 367. 917, 936,1061, 1091.  
 Industrial Insurance Company, of Birmingham, s. 458. 918, 921.

## CHARTERS AMENDED.

Bridgeport, city of, H. 777. 538, 646, 888, 1088.  
 Calera, sub. 5, section 26, H. 1055. 667, 750.  
 Leighton, section 6, H. 1072. 693.  
 Albertville, H. 1082. 695, 710, 930.  
 Woodlawn, in Jefferson county, H. 1142. 747.  
 Talladega, H. 1157. 762, 794.  
 Eutaw, H. 1168. 788.  
 Ashville, in St. Clair county, H. 1176. 789, 843,  
 Natasulga, H. 1197. 841, 884.

## CHARTERS AMENDED, CONFIRMED, &amp;C.

Mobile Gas, Light and Coke Company, H. 91. 74, 123, 159, 273, 285.  
 Merchants Bank of Florence, H. 157. 113.  
 Bessemer Building and Loan Association:, H . 187. 119, 223,444,848.  
 Bessemer Land and Improvement Company, H. 188. 119, 201, 392, 506, 550.  
 The Bank of Selma, H. 301. 166, 284, 579.  
 Coaldale Brick and Tile Company, H. 310. : 167.  
 Bienville Water Supply Company, H. 352. 184, 235.  
 Do. s. 188. 580, 633, 772, 1005.  
 Chattahoochee Brewing Company, H. 397. 220, 324, 389, 490, 518.  
 Black Warrior Coal, Iron and Steel Navigation Company, H. 473. 257.  
 East Alabama Fertilizer Company, to amend and notify, H. 497. 281, 341, 408, 506, 550.

## INCORPORATIONS— (Continued.)

- Dallas Manufacturing Company, H. 711. 529, 696.
- Pioneer Petroleum Company, H. 964. 628, 673, 955, 1058.
- Standard Building and Loan Association, to confirm, H. 1126. 731, 793.
- The Mutual Benefit and Loan Association, to confirm, H. 1126. 731, 793.
- Home and Loan Association, to confirm, H. 1126. 731, 793.
- Do. s.425. 918,937,1068,1091.
- State Abstract Company, to amend, H. 1174. 788, 813, 973, 1088.
- Do. s. 454. 918,938.
- Male and Female Academy at Leighton, H. 63. 70, 125, 774, 326.
- Evergreen Industrial Normal School, H. 146. 111,137,236,397,401.
- Troy Normal School, H. 167. 114, 152, 369, 1005, 1019.
- Alabama Baptist Colored Normal and Theological School, H. 103. 76, 122, 158, 547, 575, 675, 806, 890.
- Scott Academy, H. 778. 538,697.
- Do. H. 961. 627.
- Dr. s. 293. 784, 795, 831, 875.
- Alabama Conference Female College, s. 334. 726, 795, 1074, 1092.
- Birmingham Dental College, H. 1153. 761,843, 954,1089.
- Birmingham Medical College, H. 1154. 761.

## INDEPENDENT BROTHERS OF LOVE-

To incorporate, H. 42. See incorporations.

## INSANITY—

Ground for divorce, H. 774. 538,671,874.

## INSPECTOR OF-MINES—

See mines.



## INDICTMENT—

Authorizing joining of joining of certain counts,  
H. 701. 528,611.

## INDEPENDENT ORDER OF ODD FELLOWS—

Grand Lodge, to amend incorporation. See in  
corporations.

## INDUSTRIAL SCHOOL FOR GIRLS—

To repeal sec. 12. See acts amended.

## INDUSTRIAL INSURANCE COMPANY—

Of Birmingham, to incorporate. See incorpora-  
tions.

## IMPEACHMENT CASES—

Witness fees, s. 427. 906,937.

## INDUSTRIAL INSURANCE COMPANY—

See incorporations.

## JOHN, S. W—

Election as speaker pro-tem, 7.

## JACKSON COUNTY—

For relief of G. W, Williams, of, H. 114. 90,  
188, 534, 696.

Sale of liquor in Bridgeport, H. 115. 90, 645,  
961.

To establish land corners, s. 70. 204, 247, 439,  
451.

County Court, to authorize registration of certifi-  
cates, H. 622. 422, 545.

Prohibition of certain places in, H. 623. 422,  
458,552,736.

County boundary of DeKalb, H. 675. See DeKalb  
county.

Daniel, Susan, to sell land, H. 920. 606, 732,  
874, 1056.

Pleasant Grove school district, to repeal, s. 450.  
917, 921, 1028, 1059.

## JAMISON, L. S.—

For relief, s. 438. 917, 978.

## JAMES, AMANDA--

Guardian, to convey certain lands, H. 895. 590, 735, 871, 1087.

## JASPER—

To amend charter, H. 251. See incorporations.

To establish city court of, H. 224, 131.

To repeal act authorizing to negotiate loan, H. 248. 134, 153, 372, 506, 516.

Separate school district, H. 250. 134, 170, 374, 464, 473, 481, 492, 504, 506, 519. 635, 687, 783, 807, 867.

## JEFFERSON COUNTY—

To allow certain constables to appoint deputies, H. 19. 64, 122, 155, 212, 216.

To provide for maintaining public roads in, H. 74. 72, 139, 328, 464, 518.

To define jurisdiction of justices of peace in, H. 75. 72, 451, 346, 459, 464.

To provide for election of superintendent of education of, H. 77. 72, 123, 178.

To amend law relating to jurisdiction of justices of peace, H. 78. 72, 152, 347, 464, 473

To repeal garnishment law. See Dallas county.

To repeal act to regulate liens of execution, H. 119. 91, 137, 223, 409, 418.

To amend act to establish city court, H. 122. 91, 151, 333, 848.

To amend act to expedite trial Capital cases, H. 123. 91, 151, 333, 849.

To regulate garnishment proceedings, H. 289. 149, 365, 415, 848.

Woodlawn, a road district, H. 345. 184.

Providing for jurors and trials of criminal cases in circuit court at Bessemer, H. 405. 221, 321, 345, 463, 518.

Do. to amend sections 4 and 6, H. 1118, 708.

## JEFFERSON COUNTY— (Continued).

- Appeals from criminal cases without giving bond, H.438. 233.
- Armory for Huey Guard, to authorize county to rent, H. 445. 244,380.
- Judge 10th circuit, to repeal act to pay, \$500, s. 107. 311,902.
- Mason, M. A., county commissioners to draw warrant for, H. 535. 318,340, 416, 516,520.
- Dead bodies in, a board to receive, H. 569. 361, 458,874.
- Solicitors, to require to pay for assistance, s. 106. 400, 902.
- Justices in precincts 21 and 37, jurisdiction of, H. 690. 527,591,702,890.
- Do. H. 1096, 705,792.
- Jury, to regulate drawing, H. 691, 527, 593, 680.
- Felons, as to sentence of, H. 695. 527, 709, 801.
- Commissioners court, to regulate. H. 696. 527.
- Hunting without permission of land owner, H. 699. 528, 748.
- Trespass, to prevent 6h enclosed premises, H. 700. 528.
- Pleasant Hill school district, to create, H. 781. 539,647, 992, 1089.
- Coroner, to amend law as to duties, H. 860. 586.
- Do. H. 963, 698.
- Walker boundary line, to define, H. 861. 586, 697.
- Criminal court, to increase powers, H . 966. 628, 698.
- Poultry, to prohibit sale at certain times, H. 986. 630,792.
- Public roads, to amend act, H. 1001. 644, 673, 979, 1087.
- Criminal cases, witness and jurors' fees in, H. 1021. 843, 792.
- Fine and forfeiture fund, to amend act, H. 1037. 665, 792.
- Auditor of, to create office of, H. 1097, 706, 813, 965.

## JEFFERSON COUNTY—(Continued.)

- Lands held adversely in, to perfect title. See Blount county.
- Stock law in precinct one, H, 1131. 732,
- Circuit court at Birmingham and Bessemer, chancery jurisdiction, H. 1140. 747,794,1035, 1056.
- Labor agents, to license, H. 1141. 747, 994.
- Shelby county laundry. See Shelby county.
- Baker, Jno. A. and sureties, for relief, H. 1169. 788.
- Juries for circuit court at Bessemer, H. 1118, 708, 793.
- Mounted policemen, to employ, s. 407. 827.
- Commissioners court, to amend, H. 1210. 865, 884,992.
- Listing lands, to repeal act, H. 1218. 900, 936.
- Do. s. 478. 919, 938.
- Justices in Elyton precinct, jurisdiction, H. 1222. 901.
- Pool selling, to. allow, H. 225. 901, 920, 969, 1088.
- Lockhart, Robt. to relieve of non-age, s. 245. 905.
- Sales of goods, &c., as bankrupt, &c. See Mobile county.
- Montgomery, J. H., resignation of. See Montgomery, J. H.

## JOINT RESOLUTIONS—(SEE RESOLUTIONS)—

- Raising joint committee to investigate 2 and 3 per cent fund,68,941.13.
- Joint committee to invite clergy to open session with prayer, 68, 94, 13.
- Joint committee to notify governor of permanent organization. 14.
- American Protective Association, H. J. R. 40, 66.
- Fixing time of ascertaining result of election of August, 1894, 76, 85.
- Raising committee to visit cruiser Montgomery, H. 139. 93, 116.
- Proposing amendment to section 2, article 2, of constitution, 114, 138, 263.

## JOINT RESOLUTIONS—(Continued.

Do. s.33. 325,364,427,447.

Raising committee on joint rules, 115, 117, 144, 162.

On inauguration, 115, 117, 144.

On taxation laws, 115, 226.

Relative to that part of the governor's message as to releasing prisoners charged with crime, 117, 216.

To redistrict judicial circuit, 144, 226, 601.

To fix time of adjournment for recess, 144, 151, 339, 359, 363,481, 510.

As to commissioners, to recodifying the laws, 163, 195.

## JOINT RESOLUTIONS—

Authorizing committee to visit penitentiary &c., 164,243,339,483.

S. J. R., asking donation of Mt. Vermon Barracks, 164, 223, 287, 335.

Raising joint committee on public roads &c., 180, Expenses of inauguration, 181, 195,196, 424,469, 486,

Instructing our United States Senators to vote for cloture rule, 203.

Harbor of Mobile, committee examine charges to enter, 258, 359, 380.

State Banks, tax on, requesting repeal,s.115. 380, 457.

Assessment of taxes for 1895, acts 94-5 applicable to, s. 200. 387, 399.

Convicts, governor may dispose of, s. 200. 401, 426, 462, 494.

Blackmailing, declaring certain act to be, H. 631. 423.

Shorter, H. R., recommending for inter-state commission, 424, 425, 494.

Tax Laws, raising joint committee on, 115, 424, 429.

Solicitors 11th and 12th circuits, fixing time to elect, 455, 459.

Sayre, Reed, to pay for services, 492, 898.

## JOINT RESOLUTIONS—(Continued.

- Silver, free coinage, H. 705. 528, 625.
- Cotton States and International Exposition, reception of committee, 523, 535, 547, 621.
- Secretary of State not responsible for lost books, 580, 601, 634, 652.
- Bonds, relative to exchange of certain, 690, 741.
- Capitol, to heat, 921, 971.
- Mineral lands, asking donation to agricultural schools, 186, 1022.
- To ascertain if the governor has further communication, 1104.

## JONES, JAS. T—

- For relief of, H. 1165. 762, 812, 870, 910.

## JUDGES OF PROBATES—

- Index, duties as to, s. 187. 602, 734.
- To increase powers, H. 51. 67,

## JUDGMENTS—

- Record of, to amend act to provide for. See acts amended.

## JUDICIAL SALES—

- See Sales.

## JURORS—

- To amend act to secure. See acts amended.

## JUSTICES OF PEACE—

- Criminal cases, to prevent dismissal on payment costs, H. 625. 422.
- Judgments, record and lien of, H. 879. 588.
- To provide for registration of judgments, H. 81. 73, 139, 201, 476.
- To repeal act prohibiting from sentencing for costs, H. 209. 129.
- Causes before, to remove to another, H. 606. 378.

## JUDICIAL CIRCUITS-

- To create the 11th, H. 225. 131,196,201,235,312, 319, 342.
- To amend, Do. s. 315. 689,734,1009,1023.
- Time of pleading in 3rd, H. 344. 184.324,512.
- 8th, to take Cullman County from and add to 9th, H.409. 229.
- 8th, time of holding courts in, -s: •816. 643.
- Do. s. 229. .620, 734, 765, 799..'
- 3rd, to fix time of holding court in, H". 428. 231, 246, 370, 490, 517.
- 12th, to establish, H. 43-7.232, .246,314, 402, 413.
- 12th, Covington added to. See Lowndes County.
- 1st, time of holding court in, to fix,H. 477. 268, 322, 384,454, 909.
- Do, . ,8,,4'ii?. - 807, 938, 1011,1040.
- 13th, to create, H. 750. 535.
- Do. H. 796. 540^674, 740.
- Do. ,H,.1QQ9. 6,42,673,686,910.
- 2nd, times of holding courts m, H. 820. 543,671.
- 2nd,I^o'wndes added to .and Covington taken from.  
See Lowndes county.
- 10th, .amend act .to crea.te, H . 926- 6Q6.
- 14th, to create, H. 927. 607.
- Do. H.U64. 762,81^ . •
- 15th, to create, H.1Q35. 665.
- 4th, Lowndes county from, and Bibb county added to. See Lowndes county. r
- 5th, Bibb taken from and added to 4th. See Lowudes cpurity.
- 5th, time of holding in, H. 1162. 762,794.
- 10th. time of holding, H . 1158. 762, 794,833,1088.
- Do. s. 434. 906,937,1009,1022.
- 2nd, time of holding, s. 271- 7.84, 902.
- Do. ,.a.435. 906,937,1010,1040.
- 6th and 7th, practice in. See chancery.

## KENNEDY, TOWN OF—

- To incorporate. See incorporations,

## KING DAVID'S TEMPLE NO. 3—

To incorporate. See incorporations.

## KING, MARY—

To authorize to sell lands of Henry King, H. 1056.  
667,792.

## KORNEGAY, JAS. B.—

For relief. See Hale county.

## LAWS—

To regulate publication in papers, H. 220. 130.  
Codification of, H. 1119. 708, 733, 845, 1005,  
1056.

## LAVENDER, KIT. M.—

To relieve of disabilities. See Hale county.

## LANDS—

To amend act to empower governor to re-convey  
to United States certain. See acts amended.

Sold for taxes, to dispose of. See taxation.

Aliens, lands held by, H. 893. 590, 844, 932.

Donated to Northeast Agricultural School, to sell,  
H. 931. 607, 749.

Sold for taxes, for relief of owner, H. 1047. 666.

To number each 40 acres, &c., H. 52. 69.

## LABORERS—

To protect, H. 446. 231.

## LANETT, TOWN OF—

New charter. See incorporations.

## LAMAR COUNTY—

To prohibit sale of liquor at Sulligent in, H. 79.  
73, 137,261,418,430.

To give blacksmiths prior lien, H. 347. 184, 271,  
475.

To issue \$3,000 bonds, H. 348. 184, 247, 469,  
736.



## LAMAR COUNTY—(Continued.)

School book board, to establish, s. 168. 492, 711, 781, 807,830.

Treasurer, to register against fine and forfeiture fund claim of L. S. Metcalf, H. 1171; 788, 813,969, 1088.

## LARCENY—

To define and punish petit, H. 37. 66.

## LAUDERDALE COUNTY—

To divide beats having more than one voting place in, H. 80. 73, 124,179, 396, 401.

Public roads in, H. 158. 113, 170, 405, 547, 550.

Repealing act establishing city court. See Colbert county.

Making Muscle Shoals Canal lawful fence, s. 19. 181, 323, 468, 493.

To regulate practice in, s. 96. See Colbert county.

Fair association of to incorporate. See incorporations.

Florence bridge, tolls. See Florence bridge,

## LAWRENCE COUNTY—

Repealing act as to lawful fence, H. 227. 131, 170,353,450,464.

Election of county commissioners, H. 350. 184, 458, 831,1091,1094.

Constables fees, H. 381. 200, 322, 511, 736.

Wallace, James, to regulate bequest, H. 1003. 641,698,899,1037, 1057.

Colbert and Franklin lines, to change. See Colbert county.

Tax collector and precinct officers of, residence, &c.,H. 1213. 883,939.

Do. s. 475. 918, 938,1011, 1039.

Taxes, collection of, s. 462. 887, 938, 996, 1022, Misdemeanors in, to repeal as to trial, H. 1220.

901.

## LEE COUNTY—

- Prohibiting sale of liquor, Bethel church, H. 130. 92, 123, 176, 401, 418.
- Stock law in beat five, H. 159. 113, 138, 309, 430, 450, 481, 493, 504, 506, 517, 519.
- Time of holding chancery court, s. 48. See Randolph county.
- To create commissioners districts, H. 228. 131, 170, 384, 516, 520.
- For relief of. Henry D. Duskins, H. 398. 220.
- Cotton in seed, to prevent sale in certain cases, H. 704. 528, 592, 680, 1035, 1081.
- Game law, to amend, H. 783. 539, 613, 932, 1081.
- Public road, tax; for, H. 1025. 643, 750, 859.
- Beck, M. F., for relief of, s. 453. 917, 938, 991, 1022.

## LEIGHTON—

- To amend chapter. See incorporations.

## LEIGHTON ACADEMY--

- To amend incorporation. See incorporations.

## LIMESTONE COUNTY—

- To allow circuit clerk certain fees, H. 192. 120, 138, 648.
- Superintendent poor house, to repeal act for compensation, H. 629. 423, 545, 679, 849.
- Condemnation proceedings, to repeal act to amend code as to, H. 784. 539, 697, 881.
- Circuit court, to confer chancery jurisdiction on, See Madison county.
- Public roads, working of, H. 928. 607.
- Stock law in, H. 970. 628.
- Do. s. 312. 689, 795, 994, 1040.

## LIENS—

- To secure to certain wage earners priority in case of insolvency, H. 155. 112, 272, 950.
- To secure payment of certain, H. 132. 92.

## LIENS—(Continued,

In favor of land owner for timber, H. 9. 62, 122, 143,437,,456, 491,496, 517.

To give to cotton ginner, H. 206. 122, 246, 388.

Do. s. 103. 726, 794, 953, 983, 1022.

To provide for hotel keepers, etc., H. 222. 130, 248,817,847.

Notice of vendors, on real property, H. 231. 132.

To laborers, etc., on insolvency of employers, etc., H. 247. 134.

Mechanics, to amend act providing. See acts amended.

Physician's lien for medicine and services, H. 762. 536,670, 720, 1091,1095.

On land for municipal taxes, H. 932. 607.709, 846.

Enforcement, to provide for better, s. 231. 633, 699.

Railroad contractors, for constructing, H. 1185. 790, 844.

## LIQUORS—

To prohibit collection of debt for one gallon or less, H. 527. 135.

Sale by women or where women live, H. 692. 527, 611.

Sale of, except in incorporated towns, H. 776. 538,610.

Persons prohibited from sale after taking license, for relief, H. 1019. 643,698.

Procuring, for minor, to prevent, s. 144. 325, 378.

Sale of, license prima facie evidence of, s. 57. 400, 546, 656, 690, 728, 733, 847, 875.

Sale, of, on Sunday, to prevent, H. 1156. 761.

Petition favoring same, H. 1177. 789.

## LOCKHART, ROBERT—

To relieve of non-age. See Jefferson county.

## LOWNDESBORO—

To repeal act to incorporate, H. 870. 587.

LOUISE SHORT BAPTIST WIDOWS AND- OR-  
PHANS HOME—

To amend, incorporation. See incorporations.

LOWNDES COWTY--

To provide for election of county superintendent,  
H. 23. 64,124,177,326.

To establish board revenue for, H. 82. 73, 124,  
188, 400, 431, 456, 491, 519.

To repeal act fixing pay for recording, H.83. 73.  
152, 346.

To prevent laborers in abandoning contract, H.  
160. 113. 153,287.

To establish Benton school district, s. 26. 164,  
234, 442,451.

To establish Hayne school district, s. 64. 204,  
285,575, 620, 651.

To establish Wyndham creek school-district in s.  
89. 204, 234, 502, 513.

Reports of committing magistrates. See Dallas-  
county.

False pretenses, under contract of service, H. 529,  
318,379,577.

Game, to prohibit baiting, H. 557. 338, 457.

Section 1420 of code, to amend. See Bullock  
county .

Justices of peace, allowed to be sureties on bail,  
H. 708. 529,591.

Public roads, inspectors of. H. 709. 529, 592,  
982.

Public road laws, jurisdiction of J. P in cases  
under, a. 110. 529, 593.

Pintlala school district, to create, s. 225. 580,  
751,998, 1022.

Section 1397 of code, H. 707. 529, 592.

Section 1396 of code, H. 706. 529,592.

Gilmer, Geo. N., school district, to amend, s.  
260. 653,751,833,854.

Taken from 4th and added to second circuit, &c.,  
s. 267. 689, 734, 860, 913, 928.

McWhorter, R. S., late tax collector for relief,  
s. 336. 807,903,1007,1022.

## LOWNDES COUNTY—(Continued.)

Middlebrook's, L. J., for relief, .s. 431. 917, 997, 1031, 1058.

Taxation, listing of lands, to repeal. See Jefferson county.

## MACON COUNTY--

Death of Hon. P. S. Holt, member from, 127, 135, 136.

Prohibition at Tuskegee, H. 504. 282, 455.

Do. at Neal's chapel, H. 1012. 642, 698.

Thompson, W. W., sheriff, for relief, s. 166. 400, 457, 834. 854.

Martin, H. L., register in chancery, for relief, H. 971. 629, 673, 835.

Stock law in certain portions, H. 972. 629, 763, 995, 1080.

Do. H. 1811. 642, 763.

## MADISON COUNTY—

Messenger, appointment of, 60.

To authorize to purchase macademized roads, H. 24. 64, 124, 206.

Do. s. 2. 164, 188, 206, 227.

To prohibit sale of liquor at Fretana and other places, H. 89. 74, 123, 176, 272.

To divide Madison county into four corners, districts, H. 193. 120, 138, 275, 450, 464.

Amending fence law in, H. 351, 184, 222, 391, 580, 601.

Game, to preserve, H. 530. 318, 458, 656, 820, 850, 851.

Fish, to regulate catching in, H. 351. 318, 380, 781, 999, 1019.

Circuit court, to confer chancery jurisdiction on, H. 819. 543, 749.

Do. See Jefferson county.

Circuit court, practice in. See Morgan county.

Jurors in, drawing of, s. 233. 620, 734, 1059, 1067.

Misdemeanors, trial of, to amend act to regulate, s. 264. 634, 699, 835, 854.

## MADISON COUNTY—Continued.

- Madison high school in, to incorporate. See incorporations.
- Hampton school district, to amend, H. 1100. 706, 812.
- Big Springs school district, s. 374. 784, 812.
- Code, section 4053 as to, s. 366. 827, 867.
- Do. H. 276. See code.
- Solicitor, to repeal act to appoint, H. 1226. 934.

## MARION, TOWN OF-

- Water works, to maintain, H. 792. 540, 612, Do. s. 288. 676, 711, 740, 799.
- Prohibition, memorial asking for, 950.

## MARION COUNTY--

- To repeal act for protection of fish, H. 134. 92, 125, 193, 396, 401.
- To repeal act to regulate commissioners court, H. 135. 92, 152, 349, 485, 494.
- To abolish county court of, H. 312. 167, 233, 388, 717.
- Hamilton school district, to create, H. 786, 539, 709, 933.
- Hamilton high school, to incorporate. See incorporations, educational.
- Agricultural school at Hamilton. See Hamilton.
- Gum school district, to amend, H. 1209, 865.

## MASON. M. A.—

- For relief of. See Jefferson county.

## MOBILE GAS, LIGHT AND COKE COMPANY—

- To amend act to incorporate. See incorporations.

## MINES—

- To amend act creating inspector of, H. 271. See acts amended.
- To require honest height of coal mined, H. 154. 112, 137, 238, 490, 516.
- To secure to wage earners in priority for wages, H. 155. See liens.

## MINES—(Continued.)

To secure-prompt payment of wages, to laborers in, H. 308. 167,222,818.

Children, to regulate working in, H. 1098. 706.

## MERCHANTS, BANK OF FLORENCE—

To confirm incorporation, H. 157 See incorporations.

## MONROE COUNTY—

For relief of Neil Salter and heirs of David Salter, H. 196. 120,138,327,450,464.

To regulate trials of misdemeanors in, H. 239. 133, 222.

Separate school district, H. 404. 221, 246, 446, 651,652.

Chancery court in, to fix time of holding, H. 573. 361,457.

Do. s. 201. 581,734,859,875.

## MOBILE COUNTY—

1. To provide for working public roads by contract, H. 27. 125, 192.

To-regulate primary elections in, H. 28. 65, 201, 554.

To amend act providing stenographer for courts, H. 94. 75, 124, 189, 547, 594.

For relief of Harry P, Smith, H. 195. 120, 138, 310,437, 451.

Amending jury law, H. 314. 167, 233, 476, 819, 867.

Lawful fence in, s. 56. 181, 223, 499, 513.

To protect fish in, s. 82. 181, 285, 1073, 1092.

Chas. K. and Chas. G. Foote, to declare citizens of Mobile county, H. 423. 231, 323, 510, 736.

Boundary, line of Washington county, to change. See Washington county.

License money, to repeal law giving to public schools, H. 565. 360.

Phelan B. Dorian, sheriff, for relief, H. 945. 609, 791, 1088.

## MOBILE DOUNTY—(Continued.

- Sales of goods, &c., as bankrupt, &c., H. 31. 65, 139, 811.
- Do. s. 219. 929, 936, 998, 1020, 1040.
- Pilots, fees of, s. 369. 827.
- 2. Public roads, working of, s. 403. 827, 885, 1073, 1092.

## MADISON LOAN &amp; TRUST COMPANY—

See incorporations.

## MANASSAS CLUB—

To confirm charter. See incorporations, sub-title miscellaneous.

## MANNING—

Personal privilege of, 226.

## MARENGO COUNTY—

- Sale of liquor at Magnolia, H. 484. 268.
- Stock, on lands of T. H. Bradford, s. 349. 725, 813, 996, 1022.
- Liquor, sale of on Griffin place, H. 1159. 762.
- Stock law, to amend, H. 1208. 865, 920.
- Do. s. 469. 948, 978, 1026, 1059.

## MANUFACTURING—

To repeal act to prevent women and children working in, more than eight hours a day.  
See acts repealed.

## MARSHALL COUNTY—

- To regulate fine and forfeiture fund, H. 90. 74, 124, 189.
- Electing county commissioners, H. 56. See Calhoun county.
- Boaz school district, to establish, H. 417. 230, 270, 355, 464, 518.
- School funds, superintendent to disburse, H. 486. 169, 748.
- Antioch school district, s. 300. 726.
- Misdemeanors in, trial of, s. 216. 917, 936.



- McDOWELL, S. W.—  
For relief of, H. 746. 533, 591, 648, 849.
- MEMORIAL OF M.E. CHURCH SOUTH—  
Against bill to repeal prohibition at Tuskegee,  
455.
- MIDDLEBROOKS, T.J.—  
See Lowndes county.
- MILLER, DR. J. C.—  
For relief, H. 1170. 788.
- MILK—  
Municipalities may appoint inspectors, H. 1124.  
731.
- MINERAL LANDS—  
Asking donation to agricultural schools. See joint  
resolutions.
- MINSHEW, NATHAN—  
Heirs of, patent to. See Barbour county.
- MIZELL, JOSEPHINE S.—  
Authorizing to sell certain land, H. 215. See Coffee  
county.
- MISDEMEANORS—  
To prevent double trial for. See criminal law.
- MOBILE, CITY OF—  
To regulate primary elections in. See Mobile  
county.  
Harbor, to amend regulations, H. 424. 231, 260,  
818.  
Do. H. 1083. 695, 733.  
Do. s. 198. 580, 632.  
Do. H. 725. 531, 674, 685, 983, 1019.  
Port of, to amend incorporation. See incorpo-  
rations.

## MOBILE, CITY OF—(Continued.)

- Inferior court of, to establish, H.593. 376,544, 714.
- Justices of peace in, to regulate costs, H. 594, 376, 545, 715.
- Justices of peace in, jurisdiction of, H. 595. 376, 545, 715.
- Mobile Cotton Exchange, exempting from jury duty, H. 719. 530.
- Young Men's Christian Association, to incorporate. See incorporations.
- Fidelia Club, to confer additional powers on, H. 731. 532,631.
- Athelston Club, to confer additional powers on, H. 732. 532, 631.
- Water works, to authorize to acquire, H. 872. 587.
- Do. s. 333. 754,796,813, 930.
- Real estate, right of city to, s. 430. 906, 937.

## MORTGAGEES—

- To protect as to growing crops, H. 233. 132.

## MORTGAGES—

- Property conveyed by, description of value in, H. 1128. 731, 843,844.

## MOUNT VERNON BARRACKS—

- Asking-donation of, S. J. R. 32.

## MORGAN, JOHN T—

- 197, 217.

## MONTGOMERY COUNTY—

- To regulate costs in justice courts in, H. 38. 66, 122, 157, 212, 216.
- Amending act giving lien. for pasturing stock. See Dale county.
- Amending act to regulate drawing jurors, s. 101. 154,187, 329,366.

## MONTGOMERY COUNTY—(Continued.)

Amending section 4331 of code, as to, s. 12. 154, 187, 330, 366.

For relief of Francis M. and Edwin W. Crenshaw, of, H. 331. 169.

To issue bonds for \$300,000, s.9. 181,223,265, 284.

To confirm certain bonds, s. 93. 216, 246, 288, 335.

Louise. A. Westcott, to relieve of non-age, H. 425. 231

Do. H. 790. 540, 671, 953, 1080.

Westcott, Wm. B., to relieve .of non-age, H. 733. 532,670, 782, 1056.

Montgomery, Theodorie, for relief of non-age, H. 734. 532, 670.

Fine and forfeiture fund, to amend act. See Jefferson county.

Stock law in certain portions, H. 1147, 748,794.

Gassenheimer, Sydney, to relieve of non-age, s. 253. 784;,795.

Hall, A. J., for relief of, H. 1189. 810.

## MONTGOMERY, CITY OF—

To repeal section 82 of act to establish charter. See incorporations.

To prescribe manner of electing recorder, H. 165. 114, 125, 152, 368, 582.

Bonds, to authorize to issue, H. 558. 338, 365.

Do. s. 205. 459, 711.

Do. H. 1092. 696, 764.

Do. s. 402. 922,936,1030,1082.

Taxes, sales of land for, to amend act to regulate, H. 559. 338, 593.

Do. s. 204. 465,711.

Charter, to amend. See incorporations.

Butcher pens, to prevent within three miles of, on public roads, H. 630. 424, 631.

Clerk of council and treasurer, to consolidate, H. 1006. 641.

Council of, may buy a»ad sell realty, H . 1084. 695, 764.

## MONTGOMERY INFIRMARY—

To establish training school for nurses, H. 1105.  
706, 793.

## MOULTON—

To abolish charter, H. 1123. 731.  
Charter, to amend. See incorporations.

## MOORE, T. S,—

Of Baldwin county, for relief. See Baldwin  
county.

## MONTGOMERY, J. H.—

Resignation of, 1017.

## MONTGOMERY STREET RAILWAY-

To confirm charter. See incorporations.

## MONTGOMERY SHOOTING CLUB—

To authorize to borrow money, H. 605. 378, 592,  
931,1088.

## MOBILE ATHLETIC ASSOCIATION—

To dissolve incorporation. See incorporations,  
miscellaneous.

## MUNICIPAL CORPORATIONS—

Defining cities, towns and villages. See corpora-  
tions.  
Ordinances of, self proving. See evidence.

MUTUAL BENEFIT BUILDING AND LOAN ASSO-  
CIATION—

To confirm charter. See incorporations.

## MUTUAL FIRE INSURANCE ASSOCIATION—

To incorporate. See incorporations.

## MORGAN COUNTY—

To regulate issue of garnishments, H. 41. 66,  
136, 194, 490, 517, 523, 546, 690, 715, 735,

## MORGAN COUNTY—(Continued.)

To repeal act to provide for working public roads, &c., H. 97. 75, 125, 193, 339, 342.

Authorizing mayor and aldermen of New Decatur to divide same into wards. See New Decatur.

Prohibition at Hartselle, H. 466. 256.

College in, to incorporate. See incorporations.

Liquors, license to sell in, to amend act to regulate, H.551. 337,364,478,717.

Prohibition at certain places in, H. 552, 337, 364, 645,966.

Denton, A. M. C., for relief of, H , 735. 532.

Probate judge, fees, H.813 . 542, 632, 992, 1080.

Circuit court, to confer chancery jurisdiction on.

See Madison county ; also Jefferson county.

County site, to locate,H. 877. 588.

Practice in Circuit court, s. 228. 620, 734, 1008, 1023.

Code, section 1053, to amend. See code.

## McLENDON, W. A.--

For relief. See Henry county.

## McWHORTER, R. S—

Late tax collector of Lowndes county. See Lowndes county.

## NEW DECATUR—

To authorize mayor and aldermen to divide into wards, H. 399. 220, 235, 435, 506, 517.

Streets, authority of corporation to keep up, H. 814. 543, 632, 702, 891.

Aldermen, to increase-number, H. 951. 609,791, 956,1090.

## NEGOTIABLE PAPER—

Regulating protest of, H. 421. 231,341.

## NORTHERN CHANCERY DIVISION—

To create. See chancery.

## NORTH ALABAMA COLLEGE—

To incorporate. See incorporations, educational.

N. E. ALABAMA AGRICULTURAL SCHOOL AT  
ALBERTVILLE—

To sell lands. See lands.

To grant diplomas, H, 1125. 731, 812.

## NEWTON, TOWN OF—

To incorporate. See incorporations.

## NATASULGA—

To amend incorporation. See incorporations.

## OATH—

Of members, 6, 7, 522.

## OFFICERS—

Of house; temporary, 7 ; permanent, 7,12.

Resolution of thanks to, 1103.

## OUTLAW-

To prevent selling history of, H. 62. 70, 125,  
136, 208,477, 494.

## OATS—

To prevent sale of seed mixed with Johnson grass,  
H. 150. 112,137,239,464,494.

## OAKMAN—

Charter for, H. 803. See incorporations, muni-  
cipal.

To establish separate school district, H. 252. 135.

## OZARK—

To establish city court of, H. 325. 169.

To incorporate. See incorporations.

Saloons, to prevent keeping open on Sunday,

H. 824. 544, 610.

## OLDHAM, JOHN S.—

For relief. See Birmingham.

## OYSTERS—

To amend act to regulate taking. See acts amended.

Planting and taking of, to regulate, H . 538. 336.

## OXFORD, TOWN OF—

Separate school district, H . 587. 375, 669.

Charter, to amend, and bonds, to issue. See incorporations .

## ONEONTA SCHOOL DISTRICT—

Prohibition in, H. 607. 397, 458.

## OZARK COTTON MILL COMPANY—

To incorporate. See incorporations, banking, industrial, &c.

## OLEOMARGARINE—

Sale of, to regulate, H. 922. 606.

## OLIVETT CLUB—

To incorporate. See incorporations, miscellaneous.

## ODEN, HENRY P.—

For relief, H. 1046. 748, 794.

## OPELIKA—

Government of, to provide for, s. 423. 827, 885, 1071, 1092.

## ORDINANCES—

Self-proving. See evidence.

## OFFICE—

To prevent attempt to usurp.

## PIKE COUNTY—

To repeal section 4 of act as to election county commissioners. See Bullock.

To repeal act as to securing jurors, H. 99. 75, 152, 347, 861, 890.

Establishing school district, H. 160. 114, 202, 388,505,550.

To establish city court of Troy, H. 321. See Troy.

To protect bridges, &c. See Covington county.

Fine and forfeiture fund of, H. 614. 398.

Stock law in, to amend, H. 794. 540, 613, 626, 899, 876, 1056.

Prohibition at St. John's Baptist church, H. 1053, 666, 763.

Ansly school district. H. 1085. 695,751.

Chancery court, time of holding, s. 294. 726, 751,1008, 1022.

## PLEADING AND PRACTICE-

Proceeding in bills of discovery, H. 127. 91, 246, 797.

To prohibit courts from giving the general charge, H. 136, 92, 223, 272.

To regulate defenses of frauds, &c., to action on contracts, H. 240. 133.

To authorize dismissal of garnishments in certain cases. See garnishments.

Transfer of cases from courts abolished, H. 358. 185, 246,815.

Trespass and case, to abolish distinction between, H. 144. 230.

Criminal cases, where property belongs to corporations, H. 488. 269,341.

Verdict in criminal cases, to record s. 142. 400, 483.

Counts, authorizing joining in certain cases. See indictment.

Practice, to regulate, H.891, 590, 672, 796.

Chancery, sworn answers, and effect of s. 143. 602,734.

Bills of exception signing, H. 944, 608.



## PLEADING AND PRACTICE—(Continued.)

Life insurance, defenses to actions on. See insurance companies.

Mandamus, &c., clerk or register may issue,  
See clerk.

## PUBLIC SCHOOLS—

To regulate issue of certificates, H . 148. 112,137, 224.

Do. H. 863. 586,749.

Amending act to regulate apportionment of fund,  
H. 163. 113.

To exempt trustees from poll tax and road duty,  
H. 22. 64, 116, 137,237, 242.

Do. H. 182. 119.

Poll tax fund, disposition of. See taxation.

System of, to establish, H, 1026. 644.

County superintendents, competency, H . 516. 283, 364.

Text books, board to select H. 592, 376, 669.

Funds, to apply portions to normal schools, H.  
793. 540.

Moneys, to be applied as required by the constitution, H. 1028. 644.

Apportionment of funds, to amend act. See  
Clarke county.

## PETTUS, FRANCIS L—

Resolution of thanks, 13.

Appointment of, 60.

## PICKENS COUNTY—

Repealing act regulating election of County commissioners. See Bullock county.

Petition in relation to convicts, H. 355. 185.

Burgin, Jefferson D., for relief, H. 634. 423.

Jury law. See Tuscaloosa county.

## PUBLIC SCHOOL TRUSTEES—

To exempt from poll tax and jury duty H. 22.  
See public schools.

## PARTITION PROCEEDINGS—

To amend act providing for publication to defendants, H. 30. See acts amended.

## PETIT LARCENY—

See larceny.

## PARK, J.P.—

See Tuscaloosa county.

## PERRY COUNTY—

To prevent sale of seed cotton in, H. 98. 75, 138, 308, 580, 601.

Electing county commissioners of, to prescribe manner, H. 243. 133, 153, 472, 601, 602, 626, 639, 660, 675, 690, 922, 935.

Repealing section 3089 of code as to, H. 242, 133, 153, 350, 848.

Reports of committing magistrates, H. 394. See Dallas county.

Chancery court, times of holding. See Monroe county.

Aunting without consent, &c., to amend act. See Winston county.

Stock law in certain places, s. 170. 490, 794, 950, 988.

Prohibition at Marion, H. 1212. 883.

## PEOPLE'S MUTUAL INSURANCE ASSOCIATION—

To incorporate. See incorporations.

## PARTNERSHIP—

Limiting liabilities of partners, H. 137. 93.

## PARTRIDGES—

To prevent baiting for. See doves.

## PISGAH MALE AND FEMALE ACADEMY—

H. 186. See incorporations.

## PERSONAL PROPERTY—

To require contracts reserving title to be recorded, H.191. 120,271.

Regulating such contracts, H. 208. 129.

Do. H.202. 121.

To prevent removal unless taxes paid. See Taxation.

To prevent disposition of on which there is lien, H. 464. 256, 322.

Removal out of state to avoid laws, H. 491. 269, 379.

Of persons arrested. See prisoners.

To regulate sales of. See sales.

## POOL,&amp;c—

To prohibit playing wher liquor is sold, H. 229. 131, 187, 434, 448.

## PATENT MEDICINE—

To prohibit sale of unless formula on bottle, H. 230. 132, 170,433.

## PHARMACY—

To amend act to regulate practice, H. 246. See acts amended.

## PRINTING—

To be awarded to citizens, H. 274. 148,201,552.

To amend act to provide for. See acts amended.

## PHENIX CITY—

In Lee county, new charter. See incorporations. Officers, when elected, H. 1029. 644, 674, 700, 849.

## POLL TAX-

To regulate disposition of, H. 299. See taxation.

Do. H. 823. See taxation.

PHILADELPHIA MORTGAGE COMPANY AND  
BRITISH-AMERICAN MORTGAGE COMPANY—

For relief of, H. 367. 186,593.

## POPWELL, JOHN—

Heirs of, for relief, H. 390. See Chilton county.

## PROHIBITION—

Measures of proof in prosecution under, H. 430.  
232,324.

Penalty for violation of, s. 227. 653, 794.

See liquors, also.

## PHENIX CITY RAILWAY COMPANY-

To incorporate. See incorporations.

Do. To amend. See incorporations.

## PUBLIC OFFICE--

To prevent usurpation. See office.

## PHYSICIANS—

Using spirits, to protect people against, H. 517.  
310.

To give lien for services, &c. See liens.

Dispensing medicines, authority defined, s. 344.  
784, 843, 961, 985.

## PRIMARY ELECTIONS—

To regulate, H. 611. 397.

## PROTESTS—

Mr. Hearn and others, on bill to elect superintendent of Education Choctaw county, 419.

Mr. Fuller, on action On Bibb county court bill.  
481.

As to money used for inauguration, 1003.  
of Mr. John, relative to convict law, 1098.

Do. relative to revenue law. 1099.

## POLLARD, TOWN OF—

To charter. See incorporations, sub-division  
municipal.

## PHOENIX CLUB-

To confirm incorporation. See incorporations,  
sub-title miscellaneous.

## PASSES--

To enforce constitutional provision, as to giving.  
See constitution.

## POWELL, WM.—

For relief of, H. 712. 629.

## PRISONERS—

Property of, duty of officers, H. 812. 542, 632.  
Removal, to regulate removal, H. 1091. 696, 733.

## PAWN-BROKERS—

Regulating business of, H. 943. 608, 672.

PLANTERS WAREHOUSE AND COMMISSION  
COMPANY—

To incorporate. See incorporations, banking, in-  
dustrial.

## PIONEER PETROLEUM COMPANY—

To amend incorporations. See Banking, industri-  
al &c.

## PRATTVILLE—

Bonds, to issue, H. 1030. 664, 609, 967, 1080.

## PUBLIC ROADS--

Overseers and apportioners, fines of defaulting,  
H. 1151. 761.

Overseers of, duties, s. 309. 784, 848.

## PEDDLERS--

To tax in certain counties. See Wilcox county,

## QUARANTINE—

To regulate practice of, H. 286. 149, 234, 771.  
 Act to establish, amending. See acts amended.  
 Board of Mobile Bay, to compensate Thomas S.  
 Scales. H. 729. 531, 748.

## QUICKENHAM CLUB—

To confirm incorporation- See incorporations,  
 miscellaneous.

## RESOLUTIONS—

See joint resolutions.  
 Raising committee to assign seats, 6.  
 To notify senate of permanant organization, 12.  
 Authorizing speaker to appoint pages and mes-  
 senger, 13.  
 Of thanks to Hon. Francis L. Pettus, Ex speaker,  
 13.  
 Authorizing door-keeper to purchase supplies, 13.  
 Raising joint committee to investigate two and  
 three .per cent, fund. 13.  
 Instructing speaker to appoint door-keeper for  
 gallery, 13.  
 Instructing door-keeper to furnish code, acts, &c.  
 14.  
 Raising standing committee on rules, 14.  
 That the door-keeper obtain acts of 1892-3 for  
 the members, 68.  
 Allowing committee on revision of laws clerk, 127,  
 128.  
 Allowing members to have names enrolled, 128,  
 151.  
 Raising committee to redistrict, 129.  
 Providing that clerk L. L. committee serve al-  
 so as clerk P. and C. A., 150, 163.  
 Fixing regular hour for convening &c., 150, 180,  
 241, 339, 693.  
 Authorizing clerk to employ assistant, 150, 163.  
 Providing assistance for engrossing and enrolling  
 clerks, 195.  
 Rules, Proposing additional, 225, 258,

## RESOLUTIONS—(Continued.)

- Reports of troops at Capitol, condemnation of, 242.
- Illegal inauguration, to inquire if any member participated in, 258.
- Omnibus prohibition bill, 258 362.
- Journal, to expunge certain parts of, 259.
- Election frauds, committee to examine, 280.
- Silvery free coinage of, petitioning congress, 316.
- Constitutional convention, committee to consider, 316.
- Supreme Court Reports, rights of state in, 363, 380, 514.
- Inauguration expenses of, to inquire into. See Joint resolutions.
- Solicitors for 11th and 12th circuits, fixing time to elect, 455.
- Bills for relief, raising committee to group, 522.
- Condemning charges of "honest election" convention, 523.
- Cotton States and Industrial Exposition, reception of committee, 523, 535, 547.
- Enrolled bills, committee on may employ clerk, 549, 600.
- Nebraska, per diem to sufferers in, 549.
- Salaries of officers, to reduce, 549.
- Philyaw, reward for arresting assailants of, 575.
- Election bill, committee to draft, 623.
- State troops, Governor to furnish information as to, 624.
- Superintendent of education, committee; to examine, 625.
- Anthony, Susan B., use of hall, 626.
- Capitol, Governor to repair roof, 626.
- Rule 57, to emforce, 745.
- Daw-son, N. H. R., Death of, 745.
- Charges of corruption, to examine into, 920.

## RULES—

- Adoption of temporary, 6-13.
- Permanent, 76, 258.
- Joint, 162, 805.

## RULES— (Continued.)

Raising standing committee on, 9-10.  
Amending rule 22, 57, to enforce, 745.

## REGISTRARS--

To provide compensation, H. 15. 63.

## RAILROAD TRAINS—

To prevent jumping from moving, H. 102. 76.  
Do. H. 716. 530.  
Running freight on Sunday. See freight trains.  
Persons secreting themselves on, to prohibit, H.  
713. 530,612.

## REAL ESTATE--

To amend act to compel determination of, claims  
to. See acts amended.  
To provide for recording purchase money notes,  
H. 131. .92.  
Municipalities have lien for taxes. See. liens.

## RECEIVERS—

To provide for service upon, H. 275. See corpora-  
tions .  
Authorizing suits against without leave of court,  
H. 365. 186, 246, 816, 1090.  
On motions to appoint, witnesses, H. 489. 269,  
341.  
To provide for service upon, H. 190. 119,152,  
367,470,494.  
To require bond before appointment, H. 85. 73,  
202, 616, 982, 1017.  
Do. s. 53. 154,234,501,515,

## RANDOLPH COUNTY.-

To incorporate Graham College in, H. 278. See  
incorporations.  
Time of holding chancery court, s. 48. 204, 234,  
500, 513.  
Road law in. See Tallapoosa county.  
Section 4193, to repeal as to, H. 1102. 706.



## RANDOLPH COUNTY—(Continued.

Circuit court, to regulate holding, s. 191. 726,  
751,939, 1061, 1082.

Code, section 535, to amend as to, s. 326. 726,  
751.

Stock law in, H. 1165. 788,813,997.

Do. s. 446. 908,939,1029, 1059.

## RABID DOGS—

To prevent running at large, H. 279. 148, 223,  
768, 1018.

## RUSSELL COUNTY—

Prohibition in beat 2, H. 452. 245, 270, 352,  
652,677.

Misdemeanors in, to regulate trial, H. 596. 376,  
457, 838, 1089.

Dogs, to regulate keeping. See Barbour county.

## ROSS INSTITUTE—

To incorporate. See incorporations.

## RESIDENCE—

To establish when partly in two counties, s. 71.  
311, 378,683,736.

## RUTLEDGE—

To amend incorporation. See incorporations.

## RECORDS—

Preservation of, to provide for, H. 612. 397, 545.  
See common carriers.

## RAILROADS—

Incorporations, ticket office and agent in, H. 698.  
528,670.

Fenced, to require to be, H. 889. 589,671.

Charges, to regulate. See common carriers.

Train robbing, to define. See train robbing.

Stock killed by, to pay for, H. 1145. 747.

Stock killed by, relating to, s. 304. 754, 812.

Lien to contractors for building. See liens.

## RANDLE, MARGARET R.—

For relief, H. 728. 531,670,765.

## REVENUE. LAWS—

To amend. See taxation.

## RIPARIAN OWNERS—

To charge for use of property, H. 973. 629,877,  
1035, 1056.

## ROADS—

Shell, to prevent stock, running on, H. 1101. 706,  
792.

## ROANOKE—

Prohibition at, s. 328. 922, 991, 1021.

## SHELBY COUNTY—

To repeal act regalating election of county com-  
missioners. See Bullock county.

Do. H. 203. 121, 138, 327.

Shelby school district, H. 570. 361,399.

Aldrich school district, to create, H. 632. 423.

Fine and forfeiture fund, H. 795. 540, 671.

Misdemeanors in, to regulate trial of, H. 809.  
542,791,895,1083,1089.

Commissioners of, repealing act to regulate elec-  
tion of, H.982. 630, 791, 956.

Jefferson county boundary, H . 1155. 761, 903.

## SOLICITORS—

To regulate pay, H. 356. 185.

Law partner, to prohibit from defending.

For 11th and 12th circuits, fixing time to elect.

See joint resolutions.

Do. election of, 459.

Commissions on fees, to dispose of, H. 738. 532,  
610.

Fees of, to provide means to collect, H. 739. 532,  
611. 991, 1090.

Pay, to amend act to fix. See acts amended.

Salaries, governor's message as to, 752.

## SOLICITORS—(Continued.

Appointment of, temporary, s. 337. 807.  
For 13th circuit, and for Gadsden city court, 1013.

## SPEAKER PRO. TEM.—

Election of, 7.

## SELMA FAIR AND DRIVING ASSOCIATION—

To confirm and amend charter, H. 1. See corporations.

## SEATS—

Committee to assign, 6.

## SPEAKER—

Election of, 7.

## STEAM BOATS—

Charges, to regulate. See common carriers.  
To regulate landing of goods by, H. 10. 63, 125,  
260, 818.

## SULLIGENT, LAMAR COUNTY—

To prohibit the sale of liquor at, H. 79. See Lamar county.

## ST. CLAIR COUNTY—

Prohibiting sale of liquor, H. 141. 93, 137, 262,  
418, 431, 455, 459, 477, 478, 484, 552.  
To provide for support of public schools, H. 204.  
121, 170, 385, 1049, 1087,  
Hunting without consent of land owner, s. 120.  
485, 794.  
Constables, to execute process, H. 934. 607, 697.  
Big Canoe Creek, to prevent obstructing, H. 935.  
608, 866, 979, 1088.  
Fishing in, to regulate, H. 1022. 643, 698.  
Birds, to prevent catching with net, H. 1023. 643,  
792.  
Agricultural school at Springville, H. 1066, 668,  
763, 911.  
Ragland school district, H. 1127. 731, 812.

## STATE LOAN AND TRUST COMPANY—

To incorporate, H. 153. See incorporations.

## STILL, W. J. AND M.D.—

For relief of, H. 180. See Elmore county.

## SMITH, HARRY T.—

For relief of. See Mobile county.

## SALTER, NEIL AND HEIRS OF DAVID—

For relief of. See Monroe county.

## SURVEYS, BY U. S.—

To regulate &c., H. 285. 149, 233, 769.

## SELMA, THE BANK OF—

To confirm incorporation, H. 301. See incorporations.

## SUMTER COUNTY—

Election of county superintendent of education, H.322. 168, 234, 354, 419, 502, 635, 687, 753, 775, 824.

Fine and forfeiture fund of, s. 237. 653,699, 783, 807, 830.

## SEARIGHT, IN CRENSHAW COUNTY—

Charter for, H. 342. See incorporations.

## STEGALL, J. R.—

For relief, H. 292. See appropriations.

## SOUTHERN ASSOCIATED PRESS—

To amend charter. See incorporations.

## SELMA, CITY OF—

To issue bonds, H.433. 232, 324, 647, 867.

Waste pipes, &c. to connect with sewer, H. 480. 268, 321, 655, 898.

City court, to consolidate criminal cases in circuit court, H. 520. 316, 364,389.

Incorporation of, to amend. See incorporations, municipal.

## SLEEPING CAR SERVICE—

To regulate, H. 446. 244.

## SPRING LAKE COLLEGE—

To incorporate, H. 467. See incorporations

## STATE TROOPS—

Majors in, to increase to three to each regiment,  
H. 468. 257, 323, 759, 989.

Armory rent, to allow counties to pay, H. 469.  
257, 323, 757, 989.

Encampment for 1895-6, appropriation for. See  
appropriations.

Medicine &c., to authorize surgeon, to purchase,  
H.471. 257, 323, 758, 989.

Elective officers, filling vacancies in, H. 1043.  
665, 710.

Do. s.385. 808,843.1065,1082.

Brigade of, formation and officers, H. 1044. 665,  
710.

Do. s. 386. 807, 843, 1065, 1083.

Officers elected in another organization to retain  
rank, H. 1045. 666, 710.

Do. s.387. 808,844,1065,1082.

Medical department of, to organize, H. 1173. 788,  
843.

## SHEFFIELD—

To amend charter. See incorporations.

Streets &c., to close, s. 444. 887,937.

## SUPREME COURT—

Trials of criminal cases in, to regulate, H. 613.  
398.644.

Reports of, report of committee as to state's in-  
terest in, 514.

## STALLWORTH, W. L—

For relief of, s. 192. 465,902.

**SOUTHERN COAL COMPANY—**

To incorporate. See incorporations, banking and industrial &c.

**SILVER-**

Free coinage of. See joint resolutions.

**STREET RAILWAYS, &c—**

To amend act to authorize consolidation. See acts amended.

**SCOTT ACADEMY—**

To amend incorporation. See incorporations, educational.

**STALLWORTH--**

Reward for arresting Philyaw's assailant. See resolutions ; also governor's message.

**SECURITY BANKING AND LOAN COMPANY—**

To incorporate. See incorporations; banking; industrial, etc.

**STILL, M.D—**

Of Elmore county, to relieve of non-age. See Elmore county.

**SYLLACAUGA—**

Incorporation, to amend. See incorporations; municipal.

**STILLMAN INSTITUTE-**

To incorporate. See incorporations; educational.

**STATE LAND TRUST COMPANY—**

To incorporate. See incorporations; banking; industrial, etc.

**SOUTHERN HOME INSURANCE COMPANY—**

To incorporate. See incorporations; banking; industrial, etc.

## SNIDER, WILLIAM M.—

Superintendent of, education, Covington county,  
for relief of sureties. See Covington county.

SOUTHERN MUTUAL FIRE INSURANCE COM-  
PANY—

To incorporate. See incorporations;

## STATE OFFICERS-

Salary of, to fix, s. 307. 653, 978.

## SEAL, FOR THE STATE-

To establish, H. 1050. 666, 792, 855.

Fees for use, H. 1132. 732, 763.

## STATE FLAG-

To adopt, H. 1051. 666, 710, 856, 1019.

## STATE SUPERINTENDENT OF EDUCATION—

Additional clerical force, H. 1057. 667, 940, 976.

## SPIO—

To incorporate. See incorporations.

## SALES—

Judicial, to prevent sacrifice of property at, H.  
1076. 694.

Of personal property, to regulate, H. 58. 70.

SOUTH ALABAMA AND GULF RAILROAD COM-  
PANY—

To incorporate. See incorporations.

## SHELL ROADS—

See roads.

## STANDARD BUILDING &amp; LOAN ASSOCIATION—

To confirm charter. See incorporations.

## SEATE WEATHER SERVICE—

To establish, H. 1161. 762, 977.

## STANDARD CLUB, OF HUNTSVILLE—

To confirm incorporation. See incorporations.

## STATE ABSTRACT COMPANY, OF MONTGOMERY—

To amend charter. See incorporations.

## SHERIFFS—

Persons doing business without, license, to arrest.

See taxation.

In charge of prisoners, duties, of, s. 408. 952, 977.

For relief of, s. 117. 633,674,967,985.

## SLAUGHTER, W, H. AND H. W.—

Of Baldwin county, for relief of. See Baldwin county.

## SECRETARY OF STATE—

Books, duty in distributing, H. 1133. 732,793.

Swamp lands, may sell, s. 404. 827, 903.

## SWAMP LAND—

Secretary of State to sell. See secretary of state.

## SALES OF GOODS, ETC.—

As bankrupt, etc., s. 219. See Mobile county.

## SUPERINTENDENT OF EDUCATION—

See state-superintendent.

SHEFFIELD AND TUSCUMBIA STREET RAIL-  
WAY COMPANY—

To change name, s. 485, 952,978,1070,1090.

## TAXATION—

Joint committee to consider laws, 115, 424.

To prevent moving property unless tax paid, H. 259, 146.

Disposition of poll tax, H. 299. 166,223,284.

Do. H. 823. 544.

To require license tax e-o. stallions, H. 324. 169, 202, 638, 646.



## TAXATION—(Continued.)

Redemption of undivided interests in land, H. 353. 185.

Local bills to levy tax on, H. 444. 244.

Taxes for use of state, to levy, H. 487. 269, 321, 371,419.431.

Income tax, to provide for, H. 512. 283.

Listing of lands by assessors,, to repeal act for.  
See acts repealed.

Notes, mortgages, etc., tax on, to provide for collection, H. 547. 337, 425.

Tax payers, to protect, 563, 360.

Taxes may be paid in warrants, s. 111. 367.

Fertilizer tags, surplus from sale of, H. 601. 377.

Assessment in 1895, Acts 1894-5 applicable to.  
See joint resolutions.

Lands bid in for, to dispose of, s. 37. 430,710, 845, 875.

Corporations to pay license, s. 183. 430,613.

Gifts, legacies, etc., to tax, H. 724. 531.

Revenue laws, to amend, H. 756. 536, 843, 873, 892, 894, 904, 907, 924,926, 942. 1032, 1050, 1053, 1077, 1090.

Do. John's protest as to, 1099.

Municipal corporation, lien for. See liens.

Land erroneously sold for, to refund money, H. 988. 631, 673.

Erroneous sales, for relief of persons buying under from state, s. 259. 653,711,995,1022.

Lands sold, for relief of owner, H. 1047, 666.

Fares, to license, H. 1138. 747.

License, persons doing business without to arrest, H. 1181. 789, 866, 888.

Peddler, to tax in certain counties. See Wilcox county.

## TALLAPOOSA COUNTY—

Constables, fees in, H. 205. 122, 152, 366,450.

Time of holding chancery court. See Randolph county.

Prohibition in beat 17, H. 505. 282. 340, 436, 688, 717.

## TALLAPOOSA COUNTY—(Continued.)

Road law in, H. 506. 282, 364, 441, 651, 653.

Taxes, delinquent, to better provide for collection,  
H. 615. 398.

Prohibition in beat 4, to repeal, H. 633. 423.

Suits, where brought, H. 800. 541.

Prohibition, election on, H. 801. 541, 631, 723.

Daviston school district, H. 936. 608,749,959,  
1087.

Stock law in certain beats, H. 1000. 640.

Fishing, to prevent in beat 2, s. 356. 828, 866,  
964,988.

Constable for beat 7, to appoint deputies, H. 1196.  
841.

Hopper, Amos T., to execute deed, s. 452. 917,  
937, 1072, 1092.

## TWO AND THREE PER CENT. FUND—

See resolutions.

## TIMBER—

To give land owner lien for, H. 9. See liens.

## TOMPKINS, R. A—

Authorizing sureties to collect taxes, H. 13. See  
Franklin county.

## TALLADEGA CITY COURT—

To provide for payment of costs for convictions of  
felonies, H. 45. 67,125.

Do. H. 880. 588,632,701,1057.

To amend act to establish, s. 15. 171, 733, 1012,  
1082.

To repeal act to establish, H. 797. 541.

## TUSCALOOSA COUNTY—

To provide for compensation county solicitor, H.  
46. 67, 187,474,725,756.

Fine and forfeiture fund of, H. 47. 67, 187, 498,  
717.

For relief of J. P. Park, ex-tax assessor of, H. 48.  
67, 125.

## TUSCALOOSA COUNTY—(Continued.

To authorize levy of tax for public buildings and bridges, H. 142. 93, 187, 330, 431, 450.

Stock law in, H. 361. 186, 247, 471, 1018.

To regulate drawing of jurors in, H. 291. 150, 534, 719.

Boars and bulls in, to prevent running at large, H. 743. 533.

Superintendent of education, act to elect, to repeal act, H. 938. 608, 672.

Witness fees, to regulate, s. 291. 676, 795, 1020, 1053, 1082.

Bonds, to issue, s. 422. 827,885,962,985.

Sales &c., of goods, &c., as bankrupt. See Mobile county.

## TALLADEGA COUNTY—

County commissioners, election of. See Calhoun county.

Amending lien for pasturing stock, H. 111, See Dale county.

Fixing Clay county line, s. 14. See Clay county.

Regulating practice in circuit court, s. 16. 181, 341, 407,451, 459.

Do. s. 248. 689,734,1062,1091.

To repeal city court, H. 359. 185.

Road law, to amend, s. 17. 228, 341, 439, 469, 493.

Sheriff of, payment of certain claims, H. 740. 533, 611, 879,935.

Registrar of, to pay, H. 741. 533.

Stock law in, H. 798. 541,591, .

Do. s.799. 541,591,657,824.

## TROY—

Bonds, to authorize issue of \$20,000, H. 736. 532, 631.

Do. s. 342. 907, 921, 956, 985.

To authorize to issue, bonds for \$30,000, H. 140. 93,125,191,396,401.

To amend normal school act, H . 167. See incorporations.-

## TROY—(Continued,

To establish city court of, H. 321. 168.

Treasurer, to elect, s. 412. 827.

## TRAM-ROADS, &amp;c—

Owners responsible for damages by, H. 298.

See corporations.

## TUSCUMBIA—

Amending charter, s. 87. See incorporations.

## TELEGRAPH COMPANIES—

To compel prompt delivery of messages, H. 411.  
229.

To punish for failure to deliver message, H. 442.  
244.

## TOMPKINS, R.A.-

Ex-tax collector of Franklin county, for relief of,  
H. 449. See Franklin county.

## TUSKEGEE—

Prohibition at. See Macon county.

Bonds, to issue, H. 1163. 762,813.

## TREDEGAR MINERAL RAILROAD COMPANY—

Amend incorporation. See incorporations.

## TUSCALOOSA, CITY OF—

Elections in, to regulate, s. 136. 400, 457, 1030,  
1059.

Incorporation, to amend. See incorporations,  
municipal.

Bonds, to authorize issue, H. 1007. 641, 709.

Bonds, to authorize issue, H. 947. 609,672,957,  
1080.

## THOMPSON, W. W—

Sheriff of Macon county, for relief of. See Macon  
county.

## TREASURER—

Report of condition of office, 484.

## TROY FERTILIZER COMPANY—

For relief, H. 737. 532,670,700,

## TRI-STATE NORMAL UNIVERSITY—

To receive public school funds, H. 779. 538, 697.

Do. H. 962. 627.

Do. s. 292. 784.

## TRAIN ROBBING—

To define, H. 1130. 732,901.

Do. s. 490. 982,1017,1072,1093.

## TALLADEGA, CITY OF—

To amend incorporation. See incorporations.

## TALLESON, A. E. J—

Of Cleburne county. See Cleburne county.

## TROUP, L. P.—

To pay certain fees, H. 1223. 901.

## TELEGRAPH OPERATORS—

To exempt from jury duty, s. 296. 905,936.

## TWO AND THREE PERCENT. FUND-

To pay into treasury, s. 355. 948, 977, 1076,  
1093.

## UNITED STATES SENATOR—

Election of, 197. Joint convention to declare re-  
sult, 217.

## UNITED MINE WORKERS—

To incorporate, H.448. See incorporations.

## UNION SPRINGS—

Bonds, to amend act to issue, H. 1024. 743, 699,  
932, 1056.

## VERDICT--

In criminal cases, to record. See pleading and practice.

## VOTERS—

Registration of, H. 658. 453.

## VAN KIRK LAND AND CONSTRUCTION CO.—

To authorize to borrow money, H. 875. 588,709  
Do. s. 311. 754,764,801,830.

## WASHINGTON COUNTY—

To provide for appointment of county solicitor,  
H.281. 148,591,764,1057.  
Prohibition at Fairford church, H 280. 148, 270.  
329, 445, 456, 497, 507,546.  
Do. at Calvert, H. 327. 169, 270, 525, 857, 861.  
To repeal section 4 of an act as to electing county  
commissioners. See Bullock county.  
Repealing act allowing sheriff to collect taxes, H.  
49. 67, 124, 178, 311. 326.  
Game law in. See Clarke county.  
Johnson, M. P., of, for relief of, H. 60. 70, 125,  
170,404,753,774,921,929.  
Commissioners districts and election precincts,  
H.328. 169,187,414,516,520.  
Repealing act for better payment of grand and  
petit jurors, H, 400. 220, 271, 511, 849.  
Requiring treasurer to keep funds to pay jurors,  
&c., H. 401. 220, 247, 472, 849.  
Fine and forfeiture fund, H. 402. 221, 247, 816,  
1089.  
Chas. K. arid Chas. G. Foote, to declare citizens  
of Mobile county. See Mobile county.  
Boundary of Mobile, to change, H. 539. 319,  
644, 963, 1086.  
Misdemeanors, trial of, to regulate, H. 554. 338,  
379, 403, 485, 518.  
Do. H. 804. 542,632,647,867.  
Boykin, Cyrus, for relief, H. 597. 377, 669, 933,  
1018.

## WASHINGTON COUNTY—(Continued.

Boykin, Cyrus, for relief, H. 597. 377, 669, 833, 1018.

Clarke, Mrs. M. D., for relief of, H. 939. 608.

School fund apportionment. See Clarke county.

Constable's fees. See Covington county.

## WINSTON COUNTY—

As to electing county commissioners, H. 50. 67, 125, 139,709,

Melville school district, H. 329. 169,865.

Freemen school district, H. 282. 148, 202, 636, 774.

Poplar Springs school district, H. 283. 149,202, 636, 774.

Election of county commissioners. See Lawrence county,

Dismal school district, s. 98. 274, 323, 391, 421,

Anton school district, H. 577. 361, 399, 681,849.

Hunting without consent, &c., to amend act, H. 178; 361,611.

Flat Cock school district; H. 662. 454.

Lands held adversely in. See Blount county.

## WESTCOTT, WILLIAM B—

For relief, H. 733. See Montgomery county.

## WESTCOTT, LOUIS A—

To relieve of non-age, H. 425. See Montgomery county.

## WHITE SIDE, WORTH—

Of Calhoun county, to relieve of non-age, H 440.

See Calhoun county.

## WAITE, W. W.—

For relief. See Clarke county.

## WILLIS, JAMES J. S.—

Tax collector, of Barbour county, for relief of.

See Barbour county.

## WATER WORKS—

Condemnation for, H. 664. 482,790.

## WARD, W. J—

For relief. See Geneva county.

## WEST BLOCTON—

To incorporate. See incorporations; municipal.

## WARRIOR—

Separate school district, to amend act, H. 892.  
590, 749.

## WILLIAMS, J. H—

For relief, See Elmore county;

## WALLACE, JAMES—

Late of Lawrence county, bequest by. See Lawrence county,

## WETUMPKA FALLS MANUFACTURING CO.—

To incorporate. See incorporations.

## WILSON, A. F—

For relief of, H. 1090. 696, 733,839,1018.

## WYATT, J. J—

Of DeKalb county, for relief. See DeKalb county.

## WEST ALABAMA REAL ESTATE AND IMMIGRATION ASSOCIATION—

To incorporate. See incorporations.

## WOODLAWN—

To amend charter. See incorporations.

## WHITE, WOODRUFF &amp; FOWLER—

For relief, H. 1178. 789, 902,980,1087.



## WHEAT BRAN—

As to sale of, H. 1182. 789, 866.

## WRITTEN INSTRUMENTS—

To provide for admission in evidence. See evidence.

## WILLIAMS, G. W—

For relief. See Jackson county.

## WITNESSES—

To regulate fees in civil cases, H. 214. 130.

## WALKER COUNTY—

Game law, to amend, H. 1221. 901, 939.

Labor agents, to license. See Jefferson county.

For relief of F. A. Gamble, ex-probate judge H, 249. 134, 188, 370, 450, 464.

Oakman school district, H. 659. 464,612.

Oakman Male and Female Academy, to incorporate. See incorporations; sub-title educational.

School book board. See Lamar county.

Jefferson boundary line. See Jefferson county.

Blount boundary line. See Blount county.

Black Warrior river, a navigable stream, amending act declaring, H. 983. 630.

Public schools, support of, H. 1110. 707.

## WINES—

To allow made and sold, H. 272. 147, 271, 392, 611.

Do. s. 135. 634, 794, 826.

## WILCOX COUNTY—

To amend game law, s. 58. 154,247.

To repeal jury law, s. 74. 164, 234, 356, 382.

To prevent trespass, H. 384. 200, 379, 599, 849.

Do. By hunting, H. 658. 454,673,913.

Reports of committing magistrates, H. 394. See Dallas county,

## WILCOX COUNTY— (Continued.)

M. E. Curtis, sheriff, for relief of, H. 432. 232.

Do. H. 745. 533,709,779,990.

False pretenses under labor contract. See Lowndes county.

Peddlers, to levy tax on, H. 576. 361, 425, 619, 820, 935.

Pastures, lien for keepers, H. 1088. 695, 792, 880,1057.

County court, special judge of, s. 455. 917.

## WALKER, RICHARD W.—

For relief of, H. 293. See appropriations.

## YOUNG, MRS. N.E.—

For relief, H. 354. 185, 259, 509, 849,

## YOUNG DEMOCRACY—

To confirm incorporation. See incorporations.

ERRATA.

Page 72. H. 73. Should be "Bessemer" instead of "Anniston."

Page 155. s. 6. Not referred. (Corrected on record.)

Page 119. H. 183. Should be section "968," not "986."

Page 335. Signing Bills. Words, "in the presence of the house," left out.

Page 337. H. 550. "Main," should be "mine."

Page 270. H. 493. Should be section "4031," not "4131."

Page 387. s. 141. Not referred; goes to fees and claims.

Page 392. H. 188. Numbered "138."

Page 400. s. 136. Not referred; should go to privileges and elections.

Page 653. s.237. Referred on p. 654, to revision of laws, "137."

Page 729. s. 57. Numbered "47."

Page 750. H. 1018. Southern Mutual "Fire "for "Life" Insurance Company.

Page 781. H. 168. Should be "s. 168," and "Lamar county" added in title.

Page 1010. s. 435. "Several" for "second."

Page 1063. s. 382. Section "191," not "192."

Page 1082. s. 381. To amend section" 185," not "381."